



City of Portsmouth  
Planning Department  
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Portsmouth, NH  
(603)610-7216

Memorandum

To: Planning Board

From: Peter Stith, AICP  
Planning Manager

Date: July 11, 2025

Re: Recommendations for the July 17, 2025 Planning Board Meeting

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**I. APPROVAL OF MINUTES**

A. Approval of the June 18, 2025 meeting minutes.

**Planning Department Recommendation**

*1) Board members should determine if the draft minutes include all relevant details for the decision-making process that occurred at the June 18, 2025 meeting and vote to approve meeting minutes with edits if needed.*

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**II. DETERMINATIONS OF COMPLETENESS**

**SITE PLAN REVIEW**

- A.** *The request of **Gary B. Dodds Revocable Trust (Owner)**, for property located at **294 Lincoln Avenue** requesting Site Plan Review approval for the demolition of an existing garage and construction of a new attached 4-bay garage with associated site improvements.*
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**Planning Department Recommendation**

*Vote to determine that Item A is complete according to the Site Plan Review Regulations, (contingent on the granting of any required waivers under Section IV of the agenda) and to accept the application for consideration.*

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**III. 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.*

***It is recommended that Old Business Item A and B be discussed together and voted on separately. A motion is required to consider these matters together.***

**A. REQUEST TO POSTPONE** The request of **SLF Realty Group LLC (Owner)**, for property located at **400 Spaulding Turnpike** requesting an amended Site Plan approval to change the temporary access path to a permanent access path. Said property is located on Assessor Map 238 Lot 2 and lies within the Gateway Corridor (G1) District.

**III. 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.*

**B. REQUEST TO POSTPONE** The request of **SLF Realty Group LLC (Owner)**, for property located at **400 Spaulding Turnpike** requesting an after-the-fact Wetland Conditional Use Permit for permanent wetland buffer impacts that were not included in the original wetland conditional use permit for this project. The new request is an increase in wetland buffer impacts from 1,644 square feet to 3,685 square feet. Said property is located on Assessor Map 238 Lot 2 and lies within the Gateway Corridor (G1) District. **REQUEST TO POSTPONE**

### III. PUBLIC HEARINGS – OLD BUSINESS

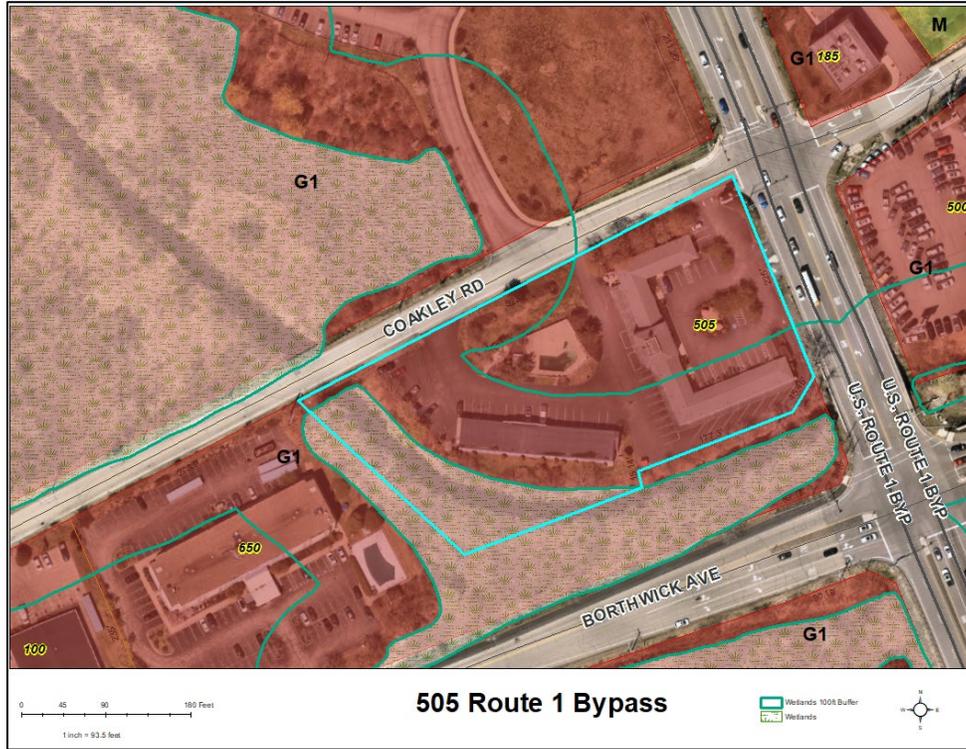
*The Board's action in these matters has been deemed to be quasi-judicial in nature. If any person believes any member of the Board has a conflict of interest, that issue should be raised at this point or it will be deemed waived.*

***It is recommended that Old Business Item C and D be discussed together and voted on separately. A motion is required to consider these matters together.***

- C. The request of **GIRI Portsmouth 505 Inc. (Owner)**, for property located at **505 US Route 1 Bypass** requesting an amended Site Plan approval, and a Conditional Use Permit for Electric Vehicle fueling space B to install 4 EV fueling stations for 8 charging spaces. Said property is located on Assessor Map 234 Lot 5 and lies within the Gateway Corridor (G1) District. (LU-25-66)

#### Project Background

The applicant is proposing to install 4 EV fueling spaces to provide charging for 8 parking spaces. The site is the location of the Port Inn and Suites and the area of work is completely within the 100-foot wetland buffer. The proposal includes creating and/or re-striping eight parking spaces and installing the necessary equipment and utility connections needed. The application was continued at the June meeting because the applicant was still before the Conservation Commission. The Commission requested the applicant come back with more impervious removed in the buffer and to locate the parking spaces further from the resource. This work will occur within the wetland buffer of Hodgson Brook and originally included the removal of 958 s.f. of existing asphalt and converting to a grassed area and included 173 s.f. of permanent impacts to an existing landscape section within the buffer to install the transformer and concrete pads. The revised plan now includes the removal of 2,135 s.f. of existing asphalt for a net impervious area of 1,962 s.f. within the buffer.



**Staff Analysis – Wetland CUP**

According to Article 10 Section 10.1017.50 the applicant must satisfy the following conditions for approval of this project.

**1. The land is reasonably suited to the use activity or alteration.**

The existing site is asphalt and is reasonably suited for the installation of such infrastructure.

**2. There is no alternative location outside the wetland buffer that is feasible and reasonable for the proposed use, activity or alteration.**

The EV chargers could be placed further away from the wetland buffer or outside of the buffer altogether but the applicant is already removing impervious and shifting the new infrastructure further from the brook.

**3. There will be no adverse impact on the wetland functional values of the site or surrounding properties.**

The brook is already a heavily impacted resource and bolstering its buffer is critical to its protection. The removal of pavement between the proposed chargers and the brook will help to reclaim part of the wetland buffer. In addition to removing impervious, the applicants are also proposing to establish new plantings within the new pervious areas and maintain the intended existing drainage on the site.

**4. Alteration of the natural vegetative state or managed woodland will occur only to the extent necessary to achieve construction goals.**

This project proposes alterations with the construction of new transformers and concrete pads but plans to remove existing pavement and replant may help offset those impacts.

**5. The proposal is the alternative with the least adverse impact to areas and environments under the jurisdiction of this section.**

This proposal has minimal impact to the wetland resource due to the overall gain of pervious surfaces within the buffer.

**6. Any area within the vegetated buffer strip will be returned to a natural state to the extent feasible.**

The removal pavement from the 40' vegetated buffer strip and the installment of seed mix and plantings will be an improvement.

Conservation Commission

The applicant was before the Conservation Commission at its regularly scheduled meeting of Wednesday, June 11, 2025 and the Commission voted 4-3 to postpone the application to the July meeting, requesting the applicant move the EV spaces further away from the resource than proposed. At the July 9, 2025 meeting, the Commission voted (6-0) to recommend approval with the following conditions:

1. *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 permanently installed as a part of this approval.*
2. *A planting plan be submitted to and reviewed by Planning & Sustainability Department Staff prior to submission to the Planning Board.*
3. *Yard waste and existing brush pile shall be cleaned up from the Hodgson Brook bank to the west of and in the existing bio-retention area as part of this project.*
4. *A sign shall be installed that instructs pet owners to clean up after their pets.*
5. *A sign shall be installed that states "No Dumping".*
6. *Prior to submission to the Planning Board applicant shall create a maintenance plan for the newly restored area and the Hodgson Brook buffer for internal use on this site.*

**Planning Department Recommendation**  
**Amended Site Plan**

1) *Vote to find that the Site Plan Application meets the requirements set forth in the Site Plan Regulations Section 2.9 Evaluation Criteria and adopt the findings of fact as presented.*

*(Alt.) Vote to find that the Site Plan Application meets the requirements set forth in the Site Plan Regulations Section 2.9 Evaluation Criteria and adopt the findings of fact as amended.*

2) *Vote to grant Amended Site Plan Approval.*

**Planning Department Recommendation**  
**Wetland Conditional Use Permit**

1) *Vote 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.*

*(Alt.) Vote 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 amended.*

2) *Vote to grant the Conditional Use Permit with the following conditions:*

2.1) *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 permanently installed.*

2.2) *The planting plan shall be reviewed and approved by Planning & Sustainability Department Staff.*

2.3) *Yard waste and existing brush pile shall be cleaned up from the Hodgson Brook bank to the west of and in the existing bio-retention area as part of this project.*

2.4) *A sign shall be installed that instructs pet owners to clean up after their pets.*

2.5) *A sign shall be installed that states "No Dumping".*

2.6) *The applicant shall create a maintenance plan for the newly restored area and the Hodgson Brook buffer for internal use on this site to be reviewed and approved by Planning Staff.*

**Planning Department Recommendation**  
**EV Charging Conditional Use Permit**

1) *Vote to find that the Conditional Use Permit Application meets the requirements set forth in Section 10.243 of the Ordinance and adopt the findings of fact as presented.*

*(Alt.) Vote to find that the Conditional Use Permit Application meets the requirements set forth in Section 10.243 of the Ordinance and adopt the findings of fact as amended.*

2) *Vote to grant the Conditional Use Permit as presented.*

**III. 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.*

***It is recommended that Item C and D be discussed together and voted on separately. A motion is required to consider these items together.***

- D.** The request of **GIRI Portsmouth 505 Inc. (Owner)**, for property located at **505 US Route 1 Bypass** requesting a Wetland Conditional Use Permit in accordance with Section 10.1017.50. The project includes 1,434 square feet of impacts within the wetland buffer including 303 square feet of temporary impacts, 173 square feet of permanent impacts in the wetland buffer and 958 square feet conversion from pavement into grassed areas within the wetland buffer area. Said property is located on Assessor Map 234 Lot 5 and lies within the Gateway Corridor (G1) District. (LU-25-66)

***See above under Item D***

#### **IV. 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.** The request of **Gary B. Dodds Revocable Trust (Owner)**, for property located at **294 Lincoln Avenue** requesting Site Plan Review approval for the demolition of an existing garage and construction of a new attached 4-bay garage with associated site improvements. Said property is located on Assessor Map 130 Lot 24 and lies within the General Residence A (GRA) District. (LU-24-225)

Project Background

The applicant is proposing to construct a 4-bay garage attached to an existing three-unit dwelling. Site plan review is required for residential projects that have three or more dwellings and the addition of the garage to the existing three-unit triggers site review. The applicant is requesting several waivers from the site review regulations, due to the scope of the project.



Project Review, Decisions, and Recommendations

The applicant was before the Technical Advisory Committee and Zoning Board of Adjustment. See below for details.

Board of Adjustment

The applicant was before the Zoning Board of Adjustment at its regularly scheduled meeting of Tuesday, January 28, 2025 and the Board voted unanimously to approve the following variance:

1) Variance from Section 10.521 to allow 28% building coverage where 25% is the maximum allowed.

Technical Advisory Committee

The applicant was before the Technical Advisory Committee at its regularly scheduled meeting of Tuesday, June 3, 2025 and the Committee voted unanimously to recommend approval with the following conditions:

**The following changes will be made prior to Planning Board submission:**

1. *Prior to submission to the Planning Board, applicant shall share the test pit results with DPW to confirm the drainage study is accurate.*
2. *An easement to be provided to the City for the sidewalk on Lincoln Avenue prior to the issuance of a Certificate of Completion.*

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**Planning Department Recommendation**

**Site Plan Approval**

1) *Vote to find that the Site Plan Application meets the requirements set forth in the Site Plan Regulations Section 2.9 Evaluation Criteria and adopt the findings of fact as presented.*

*(Alt.) Vote to find that the Site Plan Application meets the requirements set forth in the Site Plan Regulations Section 2.9 Evaluation Criteria and adopt the findings of fact as amended.*

2) *Vote to find that the requested waivers will not have the effect of nullifying the spirit and intent of the City's Master Plan or the Site Plan Review Regulations, and to waive the regulations as requested.*

***[Note: An affirmative vote of six members of the Planning Board is required to grant a waiver.]***

3) *Vote to grant Site Plan approval with the following condition:*

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- 2.1) *An easement to be provided to the City for the sidewalk on Lincoln Avenue prior to the issuance of a Certificate of Completion.*
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**IV. 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.*

***It is recommended that Item B and C be discussed together and voted on separately. A motion is required to consider these matters together.***

- B.** The request of **The City of Portsmouth Department of Public Works (Applicant)**, and **Pease Development Authority Wastewater Treatment Plant (Owner)**, for property located at **135 Corporate Drive** requesting Site Plan Review Approval from the Pease Development Authority (PDA) for the construction of four new buildings and demolition of the existing Control Operations Building and associated site improvements including utilities, parking, electrical, and stormwater infrastructure. Said property is located on Assessor Map 303 Lot 6 and lies within the Airport Business Commercial (ABC) and Natural Resources Protection (NRP) Districts. (LU-25-90)

Project Background

This proposal is for the construction of four new buildings and demolition of the existing Control Operations Building and associated site improvements including utilities, parking, electrical, and stormwater infrastructure at the Pease Wastewater Treatment Facility (WWTF) that is operated by the City of Portsmouth. This project proposes 2,950 s.f. of new impervious impact to the 100' wetland buffer on the property, with another 500 s.f. of new impact proposed in the buffer adjacent to the project area. The project also proposed impacts to previously disturbed areas within the wetland buffer.



Staff Analysis – Wetland CUP

According to Part 304-A.08(f) of the Pease Development Authority Zoning Ordinance, the following criteria must be satisfied.

**1. The land is reasonably suited to the use.**

This application requests impacting the wetland buffer in order to upgrade the WWTF, which already lies significantly within the wetland buffer. The new disturbance areas include the new chemical storage building, additional paved accessways, a bioretention system and newly trenched piping areas.

**2. There is no alternative location outside the wetland buffer that is feasible and reasonable for the proposed use.**

A major part of this existing facility falls within one of the wetland buffers on the property and some of the newly proposed areas such as the bioretention facility, pavement and trenching will occur within the wetland buffer. This is a critical facility that needs to be maintained and upgraded to ensure the continued safety of our community and environment, there is no alternative location for these improvements.

**3. There will be no adverse impact on the wetland functional values of the site or surrounding properties.**

A significant portion of the 100' wetland buffer onsite remains undisturbed. The construction and upgrades needed onsite will be offset with the introduction of a stormwater system on site where previously none existed. The new bioretention area will retain and treat stormwater coming from the site before discharging into Hodgson Brook. This new treatment will likely benefit the health of the Brook.

**4. Alteration of the natural vegetative state or managed woodland will occur only to the extent necessary to achieve construction goals.**

The project proposes work within areas that were previously disturbed and the applicant has worked to minimize the removal of trees and shrubs on site.

**5. Potential impacts have been avoided to the maximum extent practicable and unavoidable impacts have been minimized.**

This proposal has aimed to largely disturb only previously disturbed areas, with minimal impact proposed for new disturbance areas, and stormwater retention and treatment to help combat impacts from new and existing impervious on site.

Technical Advisory Committee

The applicant was before the Technical Advisory Committee at its regularly scheduled meeting of Tuesday, July 1, 2025 and the Committee voted unanimously to recommend the Planning Board recommend approval of the project to the Pease Development Authority.

Conservation Commission

The applicant was before the Conservation Commission at its regularly scheduled meeting of Wednesday, July 9, 2025 and the Commission voted unanimously (6-0) to recommend approval with the following condition:

- 1. Wetland delineation shall be certified and stamped by a NH Certified Wetland Scientist (CWS).*

The amendments to RSA 676:3 with regards to adopting findings of fact for a project apply to local planning boards making decisions based on the municipality's regulations. Pease falls exclusively under RSA 12-G and the Pease Land Use Controls, therefore the requirement to vote on and adopt findings of fact do not apply for this application.

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**Planning Department Recommendation**  
**Site Plan Approval**

- 1) Vote to recommend Site Plan Approval to the PDA Board.

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**Planning Department Recommendation**  
**Wetland Conditional Use Permit**

1.) *Vote to recommend approval of the Wetland Conditional Use permit to the PDA with the following condition:*

- 1.1) *Wetland delineation shall be certified and stamped by a NH Certified Wetland Scientist (CWS).*

#### IV. 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.*

- C. The request of **The City of Portsmouth Department of Public Works (Applicant)**, and **Pease Development Authority Wastewater Treatment Plant (Owner)**, for property located at **135 Corporate Drive** requesting a Wetland Conditional Use permit from the Pease Development Authority (PDA) for upgrades to the Treatment Facility which include construction of a building, stormwater infrastructure, utilities and grading totaling 23,600 square feet of buffer impacts including 2,950 square feet of permanent impacts, 18,550 square feet of temporary impacts onsite and 2,100 square feet off-site temporary impacts. Said property is located on Assessor Map 303 Lot 6 and lies within the Airport Business Commercial (ABC) and Natural Resources Protection (NRP) Districts. (LU-25-90)

***See project description and recommendations under Item B above.***

#### IV. 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.*

- D.** The request of **The City of Portsmouth Department of Public Works (Applicant)**, and **Reichl Family Revocable Trust (Owner)**, for property located at **15 Marjorie Street** requesting a Wetland Conditional Use Permit for the installation of a new 6" sewer service for the property to redirect flow to a new pump station's collection area and abandoning the existing service. The property's existing driveway will be demolished and re-vegetated and a new driveway will be constructed above the proposed sewer service with a 12" culvert under the proposed driveway. Said property is located on Assessor Map 232 Lot 41 and lies within the Single Residence B (SRB) District. (LU-25-82)

##### Project Background

This application is for the installation of a new 6" sewer service on the property of 15 Marjorie Street to redirect flow to a new pump station's collection area. The existing service must be abandoned prior to the removal of the existing sewer main which crosses 150 Greenleaf Ave. The property's existing driveway, which crosses the property at 49 Marjorie Street, will be removed and re-vegetated and a new driveway will be constructed at 49 Marjorie Street above the proposed sewer service. Additionally, a 12" culvert will be installed under the proposed driveway. The project proposes a permanent wetland buffer disturbance of 2,248 s.f. with a combined permanent and temporary wetland buffer disturbance of 5,437 s.f. This is an improvement project being performed by the City of Portsmouth on private property.



**Staff Analysis – Wetland CUP**

According to Article 10 Section 10.1017.50 the applicant must satisfy the following conditions for approval of this project.

**1. The land is reasonably suited to the use activity or alteration.**

Due to aging infrastructure, these sewer lines need to be upgraded and/or replaced in order to ensure the safety of the neighborhood, soils, groundwater, and local ecosystems. The land already has an existing driveway which will be removed and replaced in a new location with a pervious material.

**2. There is no alternative location outside the wetland buffer that is feasible and reasonable for the proposed use, activity or alteration.**

The existing sewer infrastructure already travels through the wetland buffer which means that any repair or replacement work has to occur within the buffer. This is a critical line servicing the home at 15 Marjorie Street.

**3. There will be no adverse impact on the wetland functional values of the site**

**or surrounding properties.**

The sewer replacement will serve as temporary disturbance while the permanent disturbance will be in the removal and rebuilding of the driveway. If the pervious driveway can be properly maintained, minimal adverse impact should occur to the wetland.

**4. Alteration of the natural vegetative state or managed woodland will occur only to the extent necessary to achieve construction goals.**

The project proposes to revegetate areas that are temporarily disturbed and permeability for those that are permanent disturbances including a porous pavement for the new driveway.

**5. The proposal is the alternative with the least adverse impact to areas and environments under the jurisdiction of this section.**

The necessary infrastructure upgrades will have the minimal amount of permanent disturbance to the wetland buffer. If not upgraded, the potential for sewer failure on this property could create a detrimental impact to the wetland resource.

**6. Any area within the vegetated buffer strip will be returned to a natural state to the extent feasible.**

The project proposes minimal impact to the vegetated buffer strip, all temporary disturbance areas are to be revegetated and all permanent disturbance areas are to be porous.

Conservation Commission

The applicant was before the Conservation Commission at its regularly scheduled meeting of Wednesday, June 11, 2025 and the Commission voted unanimously (7-0) to recommend approval with the following conditions:

- 1. Applicant shall install a mix of six shrubs that are wetland-buffer tolerant on either side of the new driveway in proximity of the proposed culvert.*
- 2. The applicant shall follow all federal, state and local standards for the handling of and removal of asbestos sewer piping. The Planning Board shall apply further restrictions or required procedures to protect the surrounding area from the spread of asbestos if applicable.*

***Both conditions have been addressed in the Planning Board application.***

**Planning Department Recommendation**  
**Wetland Conditional Use Permit**

1) *Vote to find that the Conditional Use Permit Application meets the requirements set forth in Section 10.1017.650 of the Ordinance and adopt the findings of fact as presented.*

*(Alt.) Vote to find that the Conditional Use Permit Application meets the requirements set forth in Section 10.1017.650 of the Ordinance and adopt the findings of fact as amended.*

2.) *Vote to grant the Conditional Use Permit as presented.*

**V. CITY COUNCIL REFERRALS [NOTE: ANY REFERRALS REQUIRING PUBLIC HEARING SHOULD BE INCLUDED ABOVE]**

A. Frenchman's Lane

Background

Included in the packet is a letter from Attorney Alec McEachern to City Council requesting the City request release of a portion of Frenchman's Lane from the State to the City. The City Council voted at the April 21, 2025 meeting to refer this matter to the Planning Board, Planning Department, Public Works, and the Legal Department for a report back. Attached is a memo from Deputy City Attorney McCourt for more information and two potential options for a recommendation back to the City Council.

**Planning Department Recommendation**

1. *Recommend the City Council move forward with Option 2 as described in Deputy City Attorney McCourt's memo.*
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## VI. OTHER BUSINESS

### A. Zoning Amendments

#### Mechanical Units

Earlier this year, the Planning Board considered zoning amendments referred by the City Council regarding accessory structures, fences and mechanical units. The Planning Board recommended removal of Section 10.515.14, which related to setbacks for mechanical units. The section below was previously in the Ordinance and was struck as part of the amendments the City Council adopted in March.

<b>Article 5 Dimensional and Intensity Standards</b>	
<b>Section 10.510</b>	<b>General Requirements</b>
<b>10.515 Measurement Rules</b>	
10.515.13	Fences not over 4 feet in height shall be exempt from front yard requirements, and fences not over 8 6 feet in height shall be exempt from side and rear yard requirements.
<del>10.515.14</del>	<del>A mechanical system (i.e. HVAC, power generator, etc.) that is less than 36 inches above the ground level with a mounting pad not exceeding 10 square feet shall be exempt from yard requirements, but shall be set back at least 10 feet from a property line; and shall not be located closer to the street than the front of the principal structure.</del>

To further clarify the intent of the amendment above, staff suggests the following revisions to the definition of building coverage and structure to clarify that these types of mechanical systems are exempt from setbacks and coverage.

<b>Building coverage</b>
The aggregate horizontal area or percentage (depending on context) of a <b>lot</b> or <b>development site</b> covered by all <b>buildings</b> and <b>structures</b> on the <b>lot</b> , excluding
(a) gutters, <b>cornices</b> and eaves projecting not more than 30 inches from a vertical wall, and
(b) <b>structures</b> less than 18 inches above ground level (such as decks and patios);
(c) balconies, bay windows or awnings projecting not more than 2 feet from a vertical wall, not exceeding 4 feet in width, and cumulatively not exceeding 50% of the width of the <b>building</b> face;
(d) fences; and
(e) mechanical systems (i.e. HVAC, power generator, etc.) <del>that is less than 36 inches above the ground level with a mounting pad not exceeding 10 square feet.</del>
<b>Structure</b> (including <b>roof structure</b> )
Any production or piece of work, artificially built up or composed of parts and joined together in some definite manner. <b>Structures</b> include, but are not limited to, <b>buildings</b> , fences over 4 feet in height, <b>signs</b> , and swimming pools. (See also: <b>temporary structure</b> .) <del>For the purposes of this Ordinance, mechanical systems (i.e. HVAC, power generator, etc.) shall not be considered structures.</del>

#### Planning Department Recommendation

- 1) *Vote to recommend the City Council hold first reading on the proposed zoning amendments as presented (or amended if revisions are made by the Board).*

## **Building Footprint**

The building footprint downtown was discussed earlier this year by the Planning Board. The built environment in the core of downtown contains blocks of connected buildings that would constitute a single building footprint per the current definition below:

**Building footprint**  
The total area of a **building** at or above 18 inches in elevation as measured from the outside walls at the **grade plane** of a detached **building**, or of two or more **buildings** separated only by fire walls, common walls or property lines.

Uncovered **community space** located immediately above a **building's story** below the **grade plane** shall not constitute **building footprint**, provided it is not more than 10 feet above the adjacent **street grade**.

This condition is unique to downtown and not elsewhere in the City and becomes problematic because any addition or expansion would likely exceed the allowable footprint and would trigger the need for a variance or Conditional Use Permit, which requires workforce housing and community space. Draft amendments attached aim to capture the existing conditions and allow for expansion and redevelopment of existing buildings in the downtown.

### **Planning Department Recommendation**

*1) Vote to recommend the City Council hold first reading on the proposed zoning amendments as presented (or amended if revisions are made by the Board).*

## **Solar**

The City Council voted to refer solar zoning amendments to the Planning Board at their December 16, 2024 meeting:

15. Report Back on Solar Overlay District – **Voted** to refer the zoning review and drafting of Solar Zoning Amendments to the Planning Board for its recommendation in a report back to the City Council.

The Planning Board initially reviewed draft solar amendments at the February 27, 2025 work session. Included in the packet is an email from Effie Malley, Co-Chair of the Sustainability Committee, with comments on the draft ordinance.

### **Planning Department Recommendation**

*1) Vote to recommend the City Council hold first reading on the proposed zoning amendments as presented (or amended if revisions are made by the Board).*

**B.** Chairman's Updates and Discussion Items

**C.** Board Discussion of Regulatory Amendments and Other Matters

**VII. ADJOURNMENT**