



CITY OF PORTSMOUTH

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

PLANNING BOARD

August 22, 2024

Perkins Kwoka Joint Revocable Trust
Rebecca P & Katelyn E. Kowka Trustees
224 Broad Street, Unit #3
Portsmouth, New Hampshire 03801

RE: Wetland Conditional Use Permit for property located at 224 Broad Street, Unit #3, Portsmouth, NH (LU-23-179)

Dear Owner:

The Planning Board, at its regularly scheduled meeting of **Thursday, August 15, 2024**, considered your application for a Wetland Conditional Use Permit from Section 10.1017.50 for the replacement and expansion of an existing 192 s.f. sunroom and the demolition of a 286 s.f. rear deck, with new construction proposed for an addition of 384 s.f. to the existing sunroom, a new 367.5 s.f. rear deck and regrading of a portion of the site for the installation of a retaining wall and underdrain for stormwater control. The applicant is proposing to remove 491 s.f. of existing pavers and asphalt to be replaced with 401 s.f. of new pavers. This proposal includes the removal of the existing lawn to be replaced with a micro-clover seed mix, a planting plan, and a stone drip edge. Said property is shown on Assessor Map 131, Lot 13-3 and lies within the General Residence A (GRA). As a result of said consideration, the Board voted 1) 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 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, 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".

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: January 22, 2026

Property Address: 224 Broad Street

Application #: LU-23-179

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	1. <i>The land is reasonably suited to the use activity or alteration.</i>	Meets	The existing site has a steep slope which has been directing stormwater into and around the existing home, instead of towards the adjacent wetland. The proposed stormwater controls will involve some regrading of the lawn and the redirection of stormwater away from the home and through an underdrain to outlet underneath the expanded deck. This proposed deck will have $\frac{3}{4}$ " spaced decking and will have crushed stone underneath for infiltration.
2	2. <i>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 this property is within the 100 ft. buffer. The existing home is within the buffer and experiencing impacts of stormwater and ponding on the property. The applicant is proposing to address these issues with new stormwater controls and the addition of plantings, while working to reduce the impervious surface where possible.

	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	The applicant is proposing to redirect stormwater directly through an underdrain and into a crushed stone area to slow infiltration. This should improve the flooding conditions for the home while directing the flow closer to the wetland with an option for infiltration into the soil.
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	The applicant is proposing to maintain all existing trees and vegetation. In addition, the applicant will be improving the vegetation on site by planting a native micro-clover lawn in addition to planting beds and multiple trees and shrubs.
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	While the applicant is proposing an expansion of the home within the buffer, the expansion is occurring in the direction opposite of the wetland and will be compensated with a reduction in existing impervious. There are plans for overall improvements to the buffer including landscaping and reseeding the lawn with a micro-clover seed mix.
6	<i>6. Any area within the vegetated buffer strip will be returned to a natural state to the extent feasible.</i>	Meets	The applicant is proposing to stay completely outside of the 25' vegetated buffer.
7	<u>Other Board Findings:</u>		



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PLANNING BOARD

January 28, 2026

John Galt, LLC
10 Pleasant St, STE 300
Portsmouth, New Hampshire 03801

RE: Request for CUP for property located at 14 Market Square, Portsmouth, NH (LU-25-142)

Dear Property Owner:

The Planning Board, at its regularly scheduled meeting of Thursday, January 22, 2026, considered your application for a Conditional Use Permit from Section 10.112.14 to allow 0 parking spaces where 4 are required. Said property is shown on Assessor Map 107 Lot 29 and lies within the Character District 5 (CD5), Historic and Downtown Overlay Districts. As a result of said consideration, 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 "Rick" on the left and "Chellman" on the right.

Rick Chellman, Chairman of the Planning Board

cc: Shanti Wolph, Chief Building Inspector
Rosann Maurice-Lentz, City Assessor
Tracy Kozak, Arcove, LLC

Findings of Fact | Parking Conditional Use Permit

City of Portsmouth Planning Board

Date: January 22, 2026

Property Address: 14 Market Square

Application #: LU-25-142

Decision: Approve

Findings of Fact:

Effective August 23, 2022, amended RSA 676:3, I now reads as follows: 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.

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	The proposed change of use results in an overall reduction in parking demand for the site and introduces no increased parking impacts to the site or area. The new proposed use brings the required parking at the site into greater conformance with the parking requirements. While the added dwelling units represent an expanded use of residential on the site (requiring 4 spaces), the office space parking needs are being reduced. The TAC Committee reviewed the application.
2	10.1112.142 An application for a conditional use permit under this section shall identify permanent evidence-based measures to reduce parking demand, including but not limited to provision of	Meets	The property is in Market Square where there is on-street parking in the vicinity. There are additional private spaces within walking distance that provide additional parking, if necessary. The property is close to the High- Hanover Public Parking Garage.

	Parking Conditional Use Permit 10.1112.14 Requirements	Finding (Meets Criteria/Requirement)	Supporting Information
	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.		The property has easy pedestrian and bicycle access to a variety of services and attractions in the Downtown. The COAST Bus stop is 200 feet +/- away. Bicycle Racks are being provided.
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	The proposed change of use results in an overall reduction in parking demand for the site and introduces no increased parking impacts to the site or area. The property is 450 feet from the High Hanover Parking Garage. We submit that garage parking is available to tenants and this should satisfy the demand. The parking demand analysis indicates a peak period demand reduction of 8 parking spaces.
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	The site has always operated without the benefit of full on-site parking and has no location on site to provide the required parking. Due to the nature of this particular request, where no parking is provided since the site is completely occupied by the building, this section is not applicable to this project. Also, residential parking demand is highest at night when the daytime downtown uses have closed for the day.
5	<u>Other Board Findings:</u>		
6	<u>Additional Conditions of Approval:</u>		



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PLANNING BOARD

January 28, 2026

Christopher J. & Rachel A. Delisle
250 McKinley Road
Portsmouth, New Hampshire 03801

RE: Request for WCUP for property located at 250 McKinley Road, Portsmouth, NH (LU-25-139)

Dear Property Owner:

The Planning Board, at its regularly scheduled meeting of **Thursday, January 22, 2026**, considered your application for a Wetland Conditional Use Permit from Section 10.1017.50 for the demolition of an existing sunroom and deck, and the addition of two new sets of landings and stairs, as well as a concrete pad for an A/C unit all within the 100' wetland buffer. This application is reducing 224 s.f. of impervious area through demolition while introducing approximately 48 s.f. of new impervious. In total, this project will result in a net loss of 176 s.f. of impervious within the wetland buffer. Said property is shown on Assessor Map 250 Lot 117 and lies within the Single Residence B (SRB) District. As a result of said consideration, the Board voted 1) 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 **condition**:

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. It is recommended that markers be placed near the existing stone wall at the rear of the property at 50-foot intervals.

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:

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Very truly yours,

A handwritten signature in black ink, appearing to read "Rick Chellman". The signature is fluid and cursive, with "Rick" on the left and "Chellman" on the right.

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: January 22, 2026

Property Address: 250 McKinley Road

Application #: LU-25-139

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 lot is already a residential use within the wetland buffer and it is proposing to reduce impacts while also pulling the structural impacts further away from the wetland resource.
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	This lot is entirely within the wetland buffer and there is no alternative location for this work.
3	<i>3. There will be no adverse impact on the wetland functional values of the site or surrounding properties.</i>	Meets	The proposed work aims to reduce permanent impacts to the wetland buffer through the reduction of impervious surfaces. It is recommended that the applicant consider the use of erosion controls during the demolition phase.

	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 does not propose any impacts to existing vegetation through the demolition and construction.
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 project proposes reducing the permanent impacts to the wetland buffer and pulling proposed impacts further from the wetland resource than the existing sunroom and deck to be demolished.
6	<i>6. Any area within the vegetated buffer strip will be returned to a natural state to the extent feasible.</i>	Meets	The vegetated buffer strip is not being impacted as part of this project.
7	<u>Other Board Findings:</u>		



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PLANNING BOARD

January 29, 2026

Ralph 1912, LLC
10 Pleasant Street, Unit 300
Portsmouth, New Hampshire 03801

RE: Requesting Site Plan review approval for property located at 175 Fleet Street, Portsmouth, NH (LU-25-152)

Dear Property Owner:

The Planning Board, at its regularly scheduled meeting of **Thursday, January 22, 2026**, considered your application for Site Plan Review approval for the addition of two new food service structures with associated site improvements. Said property is shown on Assessor Map 117 Lot 8 and lies within the Character District 5 (CD5) and Historic District. As a result of said consideration, the Board voted 1) 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, and 2) to **grant** Site Plan Approval with the following conditions:

Conditions to be satisfied subsequent to final approval of site plan but prior to the issuance of a building permit or the commencement of any site work or construction activity:

- 2.1) *If applicable, any easement plans and deeds for which the City is a grantor or grantee shall be reviewed and approved by the Planning and Legal Departments and accepted by City Council.*
- 2.2) *The site plan and any easement plans and deeds shall be recorded at the Registry of Deeds by the City or as deemed appropriate by the Planning Department.*
- 2.3) *All work and improvements proposed on city property (Garbage totes, bike racks, and landscaping) will require City Council approval.*
- 2.4) *The two kiosks will need to be individually licensed per health department requirements.*
- 2.5) *Applicant shall submit a lighting plan showing lumens and adequate lighting remains on after hours, to be reviewed approved by the Planning Department.*
- 2.6) *Any fencing as required by the liquor commission or used to divide the site is required to go to the HDC.*
- 2.7) *A shoring plan stamped by a structural engineer shall be provided to ensure there will be no undermining of any structure along Newbury Way.*
- 2.8) *A Construction Management and Mitigation Plan (CMMMP) required. The applicant shall prepare a Construction Management and Mitigation Plan (CMMMP) for review and approval*

by the City's Legal and Planning Departments unless City staff determines that such plan is not needed.

2.9) *No amplified music permitted.*

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 Department for more details about the appeals process.

This site plan approval shall not be effective until a site plan review agreement has been signed satisfying the requirements of Section 2.12 of the City's Site Review Approval Regulations.

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.

The Planning & Sustainability Director must certify that all outstanding conditions of approval have been completed prior to issuance of a building permit unless otherwise indicated above.

This site plan approval shall expire unless a building permit is issued within a period of one (1) year from the date granted by the Planning Board unless an extension is granted by the Planning Board in accordance with Section 2.14 of the Site Review Regulations.

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,



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
Tracy Kozak, Arcove

Findings of Fact | Site Plan Review

City of Portsmouth Planning Board

Date: January 22, 2026

Property Address: 175 Fleet Street

Application #: LU-25-152

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 the all conditions necessary to obtain final approval.

Site Plan Regulations Section 2.9 Evaluation Criteria - in order to grant site plan review approval, the TAC and the Planning Board shall find that the application satisfies evaluation criteria pursuant to NH State Law and listed herein. In making a finding, the TAC and the Planning Board shall consider all standards provided in Articles 3 through 11 of these regulations.

	Site Plan Review Regulations Section 2.9 Evaluation Criteria	Finding (Meets Standard/Criteria)	Supporting Information
1	Compliance with all City Ordinances and Codes and these regulations. <u>Applicable standards:</u>	Meets	<u>Applicable standards:</u> In our opinion the Project complies with the intent and language of the Ordinance requirements; see Site Plan Sheet C 201 for details. The project has received HDC Approval.
2	Provision for the safe development, change or expansion of use of the site.	Meets	The site change has been vetted as safe. Construction safety will be developed in the CMMP process.
3	Adequate erosion control and stormwater management practices and other mitigative measures, if needed, to prevent adverse effects on downstream water quality and flooding of the property or that of another.	Meets	The site is becoming LESS impervious. The plans show the procedures that will be utilized to provide erosion control during construction.

	Site Plan Review Regulations Section 2.9 Evaluation Criteria	Finding (Meets Standard/Criteria)	Supporting Information
4	Adequate protection for the quality of groundwater.	Meets	Runoff is captured in city collection system. No groundwater withdrawal proposed as the water supply is city. No nearby production wells.
5	Adequate and reliable water supply sources.	Meets	Water supply is Public - City. Supply confirmed by TAC review. Plumbing fixtures will be water conserving.
6	Adequate and reliable sewage disposal facilities, lines, and connections.	Meets	Sewer connection is Public - City. Connection(s) reviewed by TAC.
7	Absence of undesirable and preventable elements of pollution such as smoke, soot, particulates, odor, wastewater, stormwater, sedimentation or any other discharge into the environment which might prove harmful to persons, structures, or adjacent properties.	Meets	The proposed take-out restaurant is similar to other adjacent restaurant uses and will not contribute in a significant manner to the types of impacts associated with the items listed. Proposal has been reviewed and approved by TAC.
8	Adequate provision for fire safety, prevention and control.	Meets	Building separation reviewed by Portsmouth Fire Department at TAC and plans revised to meet expectations.
9	Adequate protection of natural features such as, but not limited to, wetlands.	Meets	Urban site, no wetlands or buffers.
10	Adequate protection of historical features on the site.	Meets	The existing building footprint will be preserved, and the new building façades will match the existing. HDC Approved.
11	Adequate management of the volume and flow of traffic on the site and adequate traffic controls to protect public safety and prevent traffic congestion.	Meets	The addition of two take-out restaurants does not create a traffic impact. The team has worked with TAC to address the closing of the wide-open curb cut and the addition of new sidewalk.
12	Adequate traffic controls and traffic management measures to prevent an unacceptable increase in safety hazards and traffic congestion off-site.	Meets	The City's Traffic Engineer did not have any comments during the TAC review.
13	Adequate insulation from external noise sources.	Meets	Construction will match the required building code requirements.

	Site Plan Review Regulations Section 2.9 Evaluation Criteria	Finding (Meets Standard/Criteria)	Supporting Information
14	Existing municipal solid waste disposal, police, emergency medical, and other municipal services and facilities adequate to handle any new demands on infrastructure or services created by the project.	Meets	Trash will be collected in the proposed Waste Station (trash collection area); subject to Council concurrence. TAC Review included Fire and Police Departments; all concerns addressed in design.
15	Provision of usable and functional open spaces of adequate proportions, including needed recreational facilities that can be provided on the site	Meets	Site development increases and makes conforming open space – calculations provided. Improvements include off-site sidewalk and landscape improvements to site and adjacent public spaces.
16	Adequate layout and coordination of on-site accessways and sidewalks in relationship to off-site existing or planned streets, accessways, bicycle paths, and sidewalks.	Meets	Adequate access for the site development is provided from Fleet Street. Improvements include off-site sidewalk improvements.
17	Demonstration that the land indicated on plans submitted with the application shall be of such character that it can be used for building purposes without danger to health.	Meets	Land is suitable for the intended purpose, currently used as a take-out restaurant. The site is an urban building site, and plans follow ordinance and guidelines; see TAC approval.
18	Adequate quantities, type or arrangement of landscaping and open space for the provision of visual, noise and air pollution buffers.	Meets	Significant Landscaping improvements proposed, meeting open space requirements and improving the property.
19	Compliance with applicable City approved design standards.	Meets	See HDC and TAC approvals.
	Other Board Findings:		



CITY OF PORTSMOUTH

Planning & Sustainability

Department

1 Junkins Avenue

Portsmouth, New Hampshire

03801

(603) 610-7216

PLANNING BOARD

January 29, 2026

Colbea Enterprises LLC
659 George Washington Highway
Lincoln, Rhode Island 02865

RE: Request for Site Plan Review approval for property located at 1980 Woodbury Avenue, Portsmouth, NH (LU-25-163)

Dear Property Owner:

The Planning Board held a public meeting to discuss this property on **Thursday, January 22, 2026**, as agreed. This letter is to confirm that your application for Site Plan Review approval for the redevelopment of the site to include a 5,500 s.f. convenience store with six fueling islands and associated site improvements will be re-noticed and heard at the February public hearing, assuming the anticipated Zoning Board of Adjustment February public hearing schedule is maintained.

This property is shown on Assessor Map 239 Lot 11 and lies within the Gateway Corridor (G1) District.

This matter will be placed on the agenda for the Planning Board meeting scheduled for **Thursday, February 19, 2026**.

The minutes and audio recording of the January 22 meeting are available by contacting the Planning & Sustainability Department. Very truly yours,

Rick Chellman, Chair of the Planning Board

cc:

Corey Colewell, TF Moran, INC
Christopher Drescher, Cronin Bisson & Zalinsky P.C.



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1 Junkins Avenue
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PLANNING BOARD

January 29, 2026

Peter Floros, Trustee
PNF Trust of 2013
282 Middle Street
Portsmouth, New Hampshire 03801

RE: Request for Site Plan Review approval for property located at 84 Pleasant Street and 266, 270, 278 State Street, Portsmouth, NH (LU-24-195)

Dear Property Owner:

The Planning Board, at its regularly scheduled meeting of **Thursday, January 22, 2026**, considered your application for Site Plan Review approval that includes merging four lots and redevelopment of the site to include remodeling of existing structures and new construction to mimic the former Times building and a new structure on the corner of State Street and Pleasant Street. The proposal includes 17 dwelling units, retail/commercial/restaurant space on the ground floor and 17 parking spaces in a car storage system and associated site improvements. Said property is shown on Assessor Map 107 Lot 77-80 and lies within the Character District 4 (CD4), Historic and Downtown Overlay Districts. As a result of said consideration, the Board voted 1) 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, and 2) to grant Site Plan approval with the following **conditions in addition to the original conditions**:

Conditions to be satisfied subsequent to final approval of site plan but prior to the issuance of a building permit or the commencement of any site work or construction activity:

- 2.1) *If applicable, any easement plans and deeds for which the City is a grantor or grantee shall be reviewed and approved by the Planning and Legal Departments and accepted by City Council. This shall include an easement for the conduit connected to the transformer located on private property.*
- 2.2) *The site plan and any easement plans and deeds shall be recorded at the Registry of Deeds by the City or as deemed appropriate by the Planning Department.*
- 2.3) *The applicant shall prepare a Construction Management and Mitigation Plan (CMMP) for review and approval by the City's Legal and Planning Departments unless City staff determines that such plan is not needed.*
- 2.4) *The applicant shall agree to pay for the services of an oversight engineer, to be selected by the City, to monitor the construction of improvements within the public rights-of-way and on site.*
- 2.5) *A license will be required for the transformer doors that open onto City property.*

Conditions to be satisfied subsequent to commencement of site work and construction activity but prior to release of surety bond or certificate of occupancy:

2.6) *The Engineer of Record shall submit a written report (with photographs and engineer stamp) certifying that the stormwater infrastructure was constructed to the approved plans and specifications and will meet the design performance.*

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 Department for more details about the appeals process.

This site plan approval shall not be effective until a site plan review agreement has been signed satisfying the requirements of Section 2.12 of the City's Site Review Approval Regulations.

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.

The Planning & Sustainability Director must certify that all outstanding conditions of approval have been completed prior to issuance of a building permit unless otherwise indicated above.

This site plan approval shall expire unless a building permit is issued within a period of one (1) year from the date granted by the Planning Board unless an extension is granted by the Planning Board in accordance with Section 2.14 of the Site Review Regulations.

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,



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
Chris Mulligan, Bosen & Associates, PLLC
John Chagnon, Ambit Engineering

Findings of Fact | Site Plan Review

City of Portsmouth Planning Board

Date: January 22, 2026

Property Address: 84 Pleasant Street

Application #: LU-24-195

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 the all conditions necessary to obtain final approval.

Site Plan Regulations Section 2.9 Evaluation Criteria - in order to grant site plan review approval, the TAC and the Planning Board shall find that the application satisfies evaluation criteria pursuant to NH State Law and listed herein. In making a finding, the TAC and the Planning Board shall consider all standards provided in Articles 3 through 11 of these regulations.

	Site Plan Review Regulations Section 2.9 Evaluation Criteria	Finding (Meets Standard/Criteria)	Supporting Information
1	Compliance with all City Ordinances and Codes and these regulations. <u>Applicable standards:</u>	Meets	<u>Applicable standards:</u> In our opinion the Project complies with the intent and language of the Ordinance requirements. See Sheet C3 for details.
2	Provision for the safe development, change or expansion of use of the site.	Meets	To facilitate the construction Church Street will sometimes be limited to only construction, cranes, and truck deliveries. Safety plans / alternative routes will be developed in the CMPP process.
3	Adequate erosion control and stormwater management practices and other mitigative measures, if needed, to prevent adverse effects on downstream water quality and flooding of the property or that of another.	Meets	The project proposes providing roof drainage collection and diversion to drainage structures in Church Street. The plans show the procedures that will be utilized to provide erosion control during construction.
4	Adequate protection for the		Runoff is captured in city collection system.

	Site Plan Review Regulations Section 2.9 Evaluation Criteria	Finding (Meets Standard/Criteria)	Supporting Information
	quality of groundwater.	Meets	No groundwater withdrawal (water supply is city). No nearby production wells.
5	Adequate and reliable water supply sources.	Meets	Water supply is Public -City. Supply confirmed by TAC review. All plumbing fixtures will be low /water conserving.
6	Adequate and reliable sewage disposal facilities, lines, and connections.	Meets	Sewer connection is Public - City. Connection(s) reviewed by TAC.
7	Absence of undesirable and preventable elements of pollution such as smoke, soot, particulates, odor, wastewater, stormwater, sedimentation or any other discharge into the environment which might prove harmful to persons, structures, or adjacent properties.	Meets	The commercial and residential uses will not contribute the types of pollutants listed. If there is a first-floor restaurant use it would not contribute any more smoke / odor than the other facilities downtown.
8	Adequate provision for fire safety, prevention and control.	Meets	Full wet sprinkler system. Building access reviewed by Portsmouth FD
9	Adequate protection of natural features such as, but not limited to, wetlands.	Meets	Urban site, no wetlands or buffers. All excavation materials will be tested, as required, prior to removal from site.
10	Adequate protection of historical features on the site.	Meets	The portion of the existing building that was removed and the other facades have HDC Approval.
11	Adequate management of the volume and flow of traffic on the site and adequate traffic controls to protect public safety and prevent traffic congestion.	Meets	Underground parking entrance has been placed on Church Street to minimize traffic disruption. TAC review indicating no significant impact
12	Adequate traffic controls and traffic management measures to prevent an unacceptable increase in safety hazards and traffic congestion off-site.	Meets	TAC did not find that traffic will be an issue off-site given the proposed development.
13	Adequate insulation from external noise sources.	Meets	Construction to match the required conditions for the location.

	Site Plan Review Regulations Section 2.9 Evaluation Criteria	Finding (Meets Standard/Criteria)	Supporting Information
14	Existing municipal solid waste disposal, police, emergency medical, and other municipal services and facilities adequate to handle any new demands on infrastructure or services created by the project.	Meets	TAC Review included Fire and Police Departments. All concerns addressed in TAC approval process.
15	Provision of usable and functional open spaces of adequate proportions, including needed recreational facilities that can reasonably be provided on the site	Meets	Site development utilizes site allowable density, which does not provide space for added recreational facilities.
16	Adequate layout and coordination of on-site accessways and sidewalks in relationship to off-site existing or planned streets, accessways, bicycle paths, and sidewalks.	Meets	Adequate access for the site development is provided from adjacent streets.
17	Demonstration that the land indicated on plans submitted with the application shall be of such character that it can be used for building purposes without danger to health.	Meets	Land is suitable for the intended purpose, currently used as an urban building site. Plans follow ordinance and guidelines; see TAC approval.
18	Adequate quantities, type or arrangement of landscaping and open space for the provision of visual, noise and air pollution buffers.	Meets	Open space limited.
19	Compliance with applicable City approved design standards.	Meets	See HDC and TAC approvals.
	Other Board Findings:		



CITY OF PORTSMOUTH

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

PLANNING BOARD

January 29, 2026

Mariya Kontsepolskaya & Ralph Minderhoud
65 Onyx Lane
Portsmouth, New Hampshire 03801

RE: Request for WCUP for property located at 65 Onyx Lane, Portsmouth, NH 03801 (LU-25-158).

Dear Property Owner:

The Planning Board, at its regularly scheduled meeting of **Thursday, January 22, 2026**, considered your application for a Wetland Conditional Use Permit from Section 10.1017.50 to install 12 push piers to stabilize the existing foundation in the 100 foot wetland buffer area. Said property is shown on Assessor Map 220 Lot 35 and lies within the Single Residence B (SRB) District. As a result of said consideration, the Board voted **continue** to the February meeting because the applicant was not present.

This matter will be placed on the agenda for the Planning Board meeting scheduled for **Thursday, February 19, 2026**.

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

Very truly yours,

Rick Chellman, Chairman of the Planning Board

cc:



CITY OF PORTSMOUTH

Planning & Sustainability

Department

1 Junkins Avenue

Portsmouth, New Hampshire

03801

(603) 610-7216

PLANNING BOARD

January 29, 2026

Mark McNabb
One Market Square, LLC
3 Pleasant Street, Ste 400
Portsmouth, New Hampshire 03801

RE: Request 1-Year extension to the Site Plan approval for property Located at 1 (15) Congress Street, Portsmouth, NH (LU-22-12)

Dear Mr. McNabb:

The Planning Board, at its meeting of Thursday, January 22, 2026, considered your request for a 1-Year extension to the Site Plan approval granted on January 16, 2025.

As a result of said consideration, the Board voted **grant** a one-year extension of the Site Plan approval now to expire on **January 16, 2027**.

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.

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

Very truly yours,

Rick Chellman, Chairman of the Planning Board

cc: Shanti Wolph, Chief Building Inspector
Rosann Maurice-Lentz, City Assessor
Tracy Kozak, JSA Design
Francis Bruton, Bruton & Berube, PLLC
John Chagnon, Ambit Engineering