

**PLANNING BOARD
PORTSMOUTH, NEW HAMPSHIRE**

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

7:00 PM Public Hearings begin

January 22, 2026

MEMBERS PRESENT: Rick Chellman, Chairman; Anthony Coviello, Vice-Chair; Karen Conard, City Manager; Joseph Almeida, Facilities Manager; Beth Moreau, City Councilor; Members Andrew Samonas, William Bowen, and Alternates Frank Perier and Logan Roy

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ALSO PRESENT: Peter Stith, Planning Department Manager

MEMBERS EXCUSED: Paul Giuliano, Ryann Wolf

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Chair Chellman called the meeting to order at 7:00 p.m. City Manager Karen Conard arrived later in the meeting. Alternates Mr. Perier and Mr. Roy took voting seats for Ms. Wolf and Mr. Giuliano, who were excused for the evening.

I. ELECTION OF OFFICERS [Video timestamp 4:42]

City Council Representative Moreau moved to elect Rick Chellman as Chair. Mr. Samonas seconded. The motion passed with all in favor.

Councilor Moreau moved to elect Tony Coviello as Vice-Chair. Mr. Almeida seconded. The motion passed with all in favor.

II. APPROVAL OF MINUTES [Timestamp 5:18]

- A.** Approval of the **November 20, 2025** meeting minutes.
- B.** Approval of the **September 16, 2025 public site walk minutes** held with the Master Plan consultants.
- C.** Approval of the **December 18, 2025** meeting minutes.

Chair Chellman explained that the Board received a letter from Tom Morgan and that there was an issue of whether the site walk was publicly noticed. After some discussion, the Board agreed that the site walk was posted and available to the public to attend, and they decided to accept the letter and place it on file.

*Mr. Almeida moved that the Board **approve** the three sets of minutes, seconded by Vice-Chair Coviello. The motion passed with all in favor.*

Vice-Chair Coviello moved to accept the letter from Mr. Morgan and place it on file, seconded by Councilor Moreau. The motion passed with all in favor.

III. DETERMINATIONS OF COMPLETENESS [Timestamp 6:57]

SITE PLAN REVIEW

- A. The request of **Ralph 1912 LLC (Owner)**, for property located at **175 Fleet Street** requesting Site Plan Review approval for the addition of two new food service structures with associated site improvements. Said property is located on Assessor Map 117 Lot 8 and lies within Character District 5 (CD5) and Historic District.
- B. The request of **Colbea Enterprises LLC (Owner)**, for property located at **1980 Woodbury Avenue** requesting 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. Said property is located on Assessor Map 239 Lot 11 and lies within the Gateway Corridor (G1) District.
- C. The request of **PNF Trust of 2013 and 282 Middle Street, LLC (Owners)**, for property located at **84 Pleasant Street and 266 – 278 State Street, Floros Building** requesting 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 located on Assessor Map 107 Lot 77-80 and lies within the Character District 4 (CD4), Historic and Downtown Overlay Districts.

DECISION OF THE BOARD

Chair Chellman read Requests A, B, and C into the record.

Mr. Samonas moved that the Board determine that Items A, B, and C are complete according to the Site Plan Review Regulation (contingent on the granting of any required waivers under Section V of the agenda) and to accept the applications for consideration. Vice-Chair Coviello seconded. The motion passed with all in favor.

IV. PUBLIC HEARINGS -- OLD BUSINESS [Timestamp 9:17]

- A. The request of **Perkins Kwoka Joint Revocable Trust (Owner)**, for property located at **224 Broad Street, Unit 3** requesting 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 for a 384 s.f. addition to the existing sunroom, a new 367.5 s.f. rear deck and regrading of a portion of the site including a retaining wall, stone drip edge and underdrain for

stormwater control, replacement of the existing lawn with a micro-clover seed mix, and a planting plan. Said property is located on Assessor Map 131 Lot 13-3 and lies within the General Residence A (GRA) District. (LU-23-179)

SPEAKING TO THE PETITION [Timestamp 10:02]

Rebecca Perkins Kwoka of 224 Broad Street said she was before the Board the previous year to present the same application and that it had not changed. She said she forgot to resubmit prior to the expiration of the wetland conditional use permit in August and was now asking for an extension so that she had time to pursue the permit.

The Board had no questions. Chair Chellman opened the public hearing.

SPEAKING TO, FOR, OR AGAINST THE PETITION

No one spoke, and Chair Chellman closed the public hearing.

DECISION OF THE BOARD

- 1) *Councilor Moreau moved that the Board 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. Mr. Almeida seconded. The motion passed with all in favor.*
- 2) *Councilor Moreau moved that the Board grant the Conditional Use Permit with the following **condition**:*
 - 2.1) *Applicant shall provide details of the proposed paver entry and their permeability. This should include a cross-section of the pavers, the proposed depth of materials and the materials to be used.*

Mr. Samonas seconded. The motion passed with all in favor.

- B.** The request of **John Galt LLC (Owner)**, for property located at **14 Market Square** requesting 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 as Lot 29 and lies within the Character District 5 (CD5), Downtown Overlay, and Historic Districts. (LU-25-142)

SPEAKING TO THE PETITION [Timestamp 12:20]

John Chagnon of Haley Ward was present on behalf of the owner. Proponent Mark McNabb and project architect Tracy Kozak were also present. Mr. Chagnon said they were requesting a parking Conditional Use Permit and that the project would convert office space into apartments and required eight parking spaces. He said there was no room on the site for parking because it was in Market Square. He said they did a parking demand analysis based on converting the

office space into seven dwelling units, and the result of the conversion was a demand reduction of eight spaces. He said the criteria were addressed in the Board's package.

The Board had no questions. Chair Chellman opened the public hearing.

SPEAKING TO, FOR, OR AGAINST THE PETITION

No one spoke, and Chair Chellman closed the public hearing.

DECISION OF THE BOARD [Timestamp 15:28]

- 1) *Vice-Chair Coviello moved that the Board 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. Mr. Samonas seconded.*

Mr. Bowen said parking was in short supply downtown. He said the project would reduce the parking demand, at least on paper, but that parking requirements kept being added downtown in small increments. He said it put more of a burden in an area that was already overburdened, and he wanted to ensure that the Board applied a consistent principle to everyone who came forward with that kind of proposition in the downtown area. Chair Chellman said Mr. Bowen's concern was a bigger question that the Board addressed in the downtown parking study a year ago and with the recommendation of the Capital Improvements Plan that recently put a \$3 million placeholder for the next public parking garage. He said the parking study recommendation was adopted by the City Council and said that downtown parking should be treated as public infrastructure and not private. It was further discussed. Mr. Bowen asked if there was a concept of requiring proof of contracting with parking in other locations. Mr. Samonas said it was tried before and was not effective. It was further discussed.

The motion passed with all in favor.

- 2) *Vice-Chair Coviello moved that the Board **grant** the Conditional Use Permit as presented, seconded by Mr. Samonas. The motion passed 7-1, with Mr. Bowen opposed.*

V. PUBLIC HEARINGS – NEW BUSINESS [Timestamp 22:05]

- A. The request of **Christopher J. and Rachel A. Delisle (Owners)**, for property located at **250 McKinley Road** requesting 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 located on Assessor Map 250 Lot 117 and lies within the Single Residence B (SRB) District. (LU-25-139)

SPEAKING TO THE PETITION [Timestamp 23:01]

Owner Chris Delisle was present to speak to the petition. He said he wanted to replace the sunroom and deck with two small egresses and a small concrete pad board as well as a small pad for the air conditioner. He said it would lessen the impact to the wetland buffer. He said substantial grading and plantings were done and rain gardens and swales were added.

The Board had no questions. Chair Chellman opened the public hearing.

SPEAKING TO, FOR, OR AGAINST THE PETITION

No one spoke, and Chair Chellman closed the public hearing.

DECISION OF THE BOARD [Timestamp 25:03]

- 1) *Vice-Chair Coviello moved that the Board 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. Mr. Almeida seconded. The motion passed with all in favor.*
- 2) *Vice-Chair Coviello moved 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.*

Mr. Almeida seconded. The motion passed with all in favor.

- B.** The request of **Ralph 1912 LLC (Owner)**, for property located at **175 Fleet Street** requesting Site Plan Review approval for the addition of two new food service structures with associated site improvements. Said property is located on Assessor Map 117 Lot 8 and lies within Character District 5 (CD5), Downtown Overlay District (DOD) and Historic District. (LU-25-152)

SPEAKING TO THE PETITION [Timestamp 26:13]

John Chagnon of Haley Ward was present on behalf of the owner, along with principal Mark McNabb, project architect Tracy Kozak, and project landscape architect Terrence Parker. Mr. Chagnon said they wanted to install two new food service structures on the lot and perform some renovations to the Gilley's existing site structure including bathrooms and two takeout restaurants. He said improvements would include a trash area, on-site seating, landscaping, and bike racks. He said there was a proposed licensing agreement and plan because of some synergies due to the proximity to the parking garage and land controlled by the City. He noted that the submitted package included renderings, a Green Building Statement, and lighting specifications. He said Mr. McNabb would create a fenced-in trash area that would have a key fob entry and would be available to other businesses in the area to use. He reviewed the landscape improvements and explained how the project would tie into the look and feel of

Newberry Way. He said the area would be much safer at night than it was before. He noted that the Technical Advisory Committee (TAC) recommended approval in December.

[Timestamp 31:26] Vice-Chair Coviello asked Mr. Chagnon to describe the lighting on site and asked if there would be security cameras. Mr. Chagnon said there would be several soffit building-mounted lights, and in the adjacent Newberry Way there would be wire-supported circular lights. He said there would not be security cameras. Vice-Chair Coviello said he was more concerned about the restroom area and the alleyway between the existing garage addition and the restrooms. Mr. Chagnon said those areas would have the same level of illumination as on the front side of the Gilley's restaurant. Ms. Kozak clarified that all four sides of all structures would be illuminated with recessed soffit downlighting and that the back of the restroom addition would have recessed vertical sconces on the corner boards. She said there would be no dark spots. Vice-Chair Coviello asked if the back would have only sconces. Ms. Kozak said there would also be perimeter linear LED downlighting emanating out from the soffits on all structures, and vertical linear lights on the corners. Vice-Chair Coviello asked if the lumens light plan for the site was removed as a City requirement. Mr. Stith said it had not been removed and was still a requirement. Vice-Chair Coviello said the area had a history of transitional pedestrians. Mr. Chagnon referred to the night illumination rendering and said Newberry Way previously had a full lumens plan that showed that the applicant was making the area safer. He said the Newberry Way alley was a separate part of the 1-15 Congress St approval that had lighting approvals and if it was a concern, he could create a lumens plan. Vice-Chair Coviello asked if the restrooms were public and would be advertised as such. Mr. Chagnon said they would be available to the public but would not be advertised because it was part of the food court arrangement and that it would be locked when the restaurant was closed.

[Timestamp 35:50] Councilor Moreau asked how the public would be prevented from getting into the area between the garage entrance and the side of the existing building. Mr. Chagnon showed where the fencing would be. Councilor Moreau asked how snow would be dealt with. Mr. Chagnon said the developer would have a maintenance team to remove any snow. Mr. Samonas asked if the pad where Gilley's was and the new restrooms and circulation on the parcel would be ADA. Mr. Chagnon said the bathroom in the back addition and the take-out restaurants would be, but there was no change proposed to the existing access to Gilley's. He explained how the newly-created Newberry Way would be accessible to ADA individuals. Mr. Samonas suggested wayfinding signs on Fleet Street to highlight the two new restaurants. Mr. Bowen asked why there would be no security cameras. Mr. Chagnon said it was because the area would be well lit and maintained, but he said they would install cameras if there was a problem. Vice-Chair Coviello said the area could become known as having a public restroom and people might go there late at night after everything was locked down. Chair Chellman said that was more of a lighting issue and thought the lighting could be bolstered. Motion sensor lighting was discussed. Mr. Almeida said it was common to have music venues at a site like that and he wanted to ensure that there would not be amplified music. He asked if the applicant considered using fabric shading for the area during the summer. Mr. Chagnon said the outdoor dining tables could have umbrellas. Chair Chellman asked if the Newberry Way grading would stop at the applicant's property for now. Mr. Chagnon said it would not because part of the project would lower the grade as well as improve the finished grade. It was further discussed. Chair Chellman

asked who would get the key fobs for the trash location. Mr. Chagnon said businesses in the general area would and that the existing trash functions would be moved to the fenced-in area. Mr. Almeida asked if the truck would be able to get on the site to manage the trash containers. Mr. Chagnon said there would be a short interruption in the street, like when the City trucks did trash pickup. Ms. Conard noted that the area would be reconfigured to have wider sidewalks. Mr. Almeida said it was important to know how the neighbors would be impacted by all the totes being emptied in that specific area and whether there would be specific hours. Mr. Chagnon said it would be discussed at the City Council meeting.

Chair Chellman opened the public hearing.

SPEAKING TO, FOR, OR AGAINST THE PETITION

No one spoke, and Chair Chellman closed the public hearing.

DECISION OF THE BOARD [Timestamp 51:35]

- 1) *Vice-Chair Coviello moved that the Board 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. Mr. Samonas seconded. The motion passed with all in favor.*
- 2) *Vice-Chair Coviello moved that the Board **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 (CMMP) required. 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.*
- 2.9) *No amplified music permitted.*

Mr. Samonas seconded.

Vice-Chair Coviello said a lot of people cared about the history of the property and the Gilley's structure. He said he saw the project as an overall improvement to the area and for the City because it would give the property a breath of fresh air.

The motion passed with all in favor.

- C. The request of **Colbea Enterprises LLC (Owner)**, for property located at **1980 Woodbury Avenue** requesting 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. Said property is located on Assessor Map 239 Lot 11 and lies within the Gateway Corridor (G1) District. (LU-25-163)

[Timestamp 59:07] Chair Chellman said there was a notice problem with the application, so there would be a second public hearing at the February meeting, with full notice. He said, however, that since the petition was noticed, he wanted to listen to the presentation and accept any public comment.

SPEAKING TO THE PETITION

Chris Rice of TFMoran was present on behalf of the applicant and gave a few handouts to the Board. He introduced Michael Gazdacko and Jay Hall from Colbea Enterprises and the rest of the project team. He reviewed the site plan application to develop the existing gas station. He said they proposed to demolish the current gas station, convenience store, and fueling canopy with 16 fueling stations and build a new gas station, a larger convenience store, and a new fueling canopy that would have six dispenser islands with a total of 12 fueling stations. He said they had 27 parking spaces that included the 12 at the pumps, the 10 spaces in front of the building, and five spaces off the side. He said they received four variances from the BOA in July 2025 and presented it conceptually to the Planning Board in early 2025. He said the major change was that the drive-thru component was removed. He said the project would have a minimal impact on traffic because only four new trips per hour would be added to the roadway network. He said they met all the City's site plan and stormwater treatment regulations.

[Timestamp 1:06:32] Mr. Almeida said a lot of people cut through the light to avoid the backup and that the way the project had the curb cut at a certain angle would make it easy for drivers to speed into there. Mr. Rice said the curb cut matched what was there but the one on Gosling Dr

was reduced in width. Mr. Gazdacko said they owned the site but did not operate it and that their business relied on a tractor trailer to come in once a day or so. Mr. Almeida asked about the proposed 8-ft fence. Mr. Rice said they proposed a stockade fence, along with plantings. Mr. Almeida asked whether the lighting would shine into people's windows. Mr. Rice said they did not have lighting on that side of the building except for one downcast light over the emergency door. Mr. Samonas asked if there was a plan for snow storage and removal. Mr. Gazdacko said there was not a lot of room for snow storage so they would truck out the snow and have a snowplow contractor. Mr. Rice said they were also providing an 8-ft sidewalk along Gosling Road as well as a sidewalk and bike rack elsewhere. Chair Chellman asked how vehicles would access the two-way access adjacent to Woodbury Avenue. Mr. Rice said it was an inter-circulation scenario in case someone pumping gas wanted to go into the store. He said the only exit onto Woodbury Avenue was at the southerly curb cut and that a left turn could not be taken out of the site due the median island. It was further discussed. Councilor Moreau asked if a sign at the Gosling Road exit indicating a right turn only could be added. Mr. Rice agreed. Mr. Bowen asked if the design would have an impact on the bus stops, and Mr. Rice said it would not. Vice-Chair Coviello said the lighting plan indicted that there was light at the rear of the building but that Mr. Rice had said there would be no lighting back there. Mr. Rice said there were some sconces along the back but that it was more like decorative and safety lighting.

Chair Chellman opened the public hearing.

SPEAKING TO, FOR, OR AGAINST THE PETITION

No one spoke, and Chair Chellman closed the public hearing.

DECISION OF THE BOARD

There was no action taken. The Public Hearing will be held at the February 19, 2026 meeting.

- D.** The request of **PNF Trust of 2013 and 282 Middle Street, LLC (Owners)**, for property located at **84 Pleasant Street and 266–278 State Street (Floros Building)** requesting 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 located on Assessor Map 107 Lot 77-80 and lies within the Character District 4 (CD4), Historic and Downtown Overlay Districts. (LU-24-195)

SPEAKING TO THE PETITION [Timestamp 1:19:20]

John Chagnon of Haley Ward was present on behalf of the owner, along with Attorney Chris Mulligan, project architect Michael Keane, and construction manager Amos Blanchard. Mr. Chagnon reviewed the petition, noting that four lots would be merged and redeveloped and that the building would have 17 units, with retail, commercial and a restaurant on the first floor. He

said there would be 17 parking spaces that included a unique parking interior lift system and there would also be bike storage. He said TAC approval was obtained for City utilities and that roof water would be treated with downspout filters. He said the cornice at the top of the building would require a license from the City because it projected over the extended property line. He said they obtained HDC approval in August 2025 for the building design. He reviewed the plans and explained the parking in more detail. He said TAC recommended approval of the project.

[Timestamp 1:27:10] Vice-Chair Coviello asked if there was a plan for EV charging inside the building and parking area. Mr. Keane said the parking rack system had the availability of having EV charging at every station and that some would be provided but that the specific places were not yet known. Vice-Chair Coviello said there were a lot of incidents of EV chargers catching on fire and the difficulty of putting them out. Mr. Keane said the issue was not discussed with the Fire Chief but was sure that it would come up with the Building Permitting Department. Councilor Moreau asked how the 17 parking spaces were obtained. Mr. Chagnon explained that the spaces were layered. Mr. Almeida said he had concerns with the Position 3 entry on the turning diagram and thought if it went one or two feet in every direction, it would relieve a complicated system. Mr. Chagnon said adjustments were made through the TAC process, then reviewed by the City's Traffic Engineer. It was further discussed. Mr. Logan asked if the noise study on the transformer doors referred to the fence outside it or the door itself. Mr. Chagnon said it referred to the door and probably the fence but that the team was in the process of working it out. He said it might be a sliding gate. Mr. Keane explained the 2-gate operation. Mr. Logan asked if the iron fence could be replaced with something more solid to reduce noise. Mr. Keane said they were deferring to the utility and air flow around the transformer. He said the sound study was only for the exterior noise and there would be a further drop-off in the interior.

[Timestamp 1:34:58] Mr. Samonas asked if the recycling bins would be brought out to the sidewalk. Mr. Chagnon agreed. Mr. Samonas asked if the two parking spaces that were not part of the project would inhibit the view coming out of the garage. Mr. Chagnon said it was discussed with TAC and that the City's Traffic Engineer looked at the turning movements. He said a mirror could be hung off the building if it was a problem. Mr. Samonas asked if delivery vehicles would have a dedicated area. Mr. Chagnon said the area already existing. Mr. Chagnon said the two parking spots behind the building were paid public spaces and that one of the spots would be relocated to allow dedicated access to the trash room.

Chair Chellman opened the public hearing.

SPEAKING TO, FOR, OR AGAINST THE PETITION [Timestamp 1:40:40]

Barbara Jenny of Working Stiff Properties (via Zoom) said she was the direct abutter at 92 and 94 Pleasant Street. She said an issue that was not brought up was the fact that the back façade of 84 Pleasant Street, the continuous townhouse to hers, still exists. She said the City had rules about what to do where there was a proposed demolition of a historic façade, and she wanted it to be addressed to ensure that the appropriate steps were taken for public notice so that people were aware of it. She said the original building should be preserved. She said the architect was willing to cooperate with the developer on the common wall and thought it should be kept. She

said Working Stiff Properties were willing to work with them as well so that the wall was not as high as it was. Mr. Almeida noted that the cornice as shown on the renderings wrapped the corner of the historic building facing Pleasant Street and was completely exposed, so there was an opportunity for restoration on the clapboarded end of that building. It was further discussed.

No one else spoke, and Chair Chellman closed the public hearing.

DECISION OF THE BOARD [Timestamp 1:48:50]

1) Vice-Chair Coviello moved that the Board 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. Mr. Almeida seconded. The motion passed with all in favor.

*2) Vice-Chair Coviello moved that the Board **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. 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.*

Mr. Almeida seconded. The motion passed with all in favor.

- E. The request of **Mariya Kontsepolskaya** and **Ralph Minderhoud (Owners)**, for property located at **65 Onyx Lane** requesting 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 located on Assessor Map 220 Lot 35 and lies within the Single Residence B (SRB) District. (LU-25-158)

SPEAKING TO THE PETITION

The applicant was not present.

DECISION OF THE BOARD

Ms. Conard moved to continue the request to the February 19 meeting, seconded by Mr. Almeida. The motion passed with all in favor.

2) PRELIMINARY CONCEPTUAL CONSULTATION [Timestamp 2:01:12]

- A. The request of **Regan Electric CO INC (Owner)**, for property located at **94 Langdon Street** and **98 Cornwall Street** requesting Preliminary Consultation for Site Plan Review. Said property is located on Assessor Map 139 Lots 1-8 and lies within the Mixed Residential Business (MRB) District. (LUPD-26-1)

Councilor Moreau recused herself because she was an abutter.

Alexx Monastiero of Chinburg Builders was present on behalf of the applicant. She said they wanted to merge the two lots and create three single-family detached homes off one shared driveway. She said the area would be about 25,000 square feet once the parcels were merged. She said there would be more green space around the site and that the impervious would be reduced by about 5,000 square feet to bring it more into conformance. She said they would go before the BOA in February for a variance for less frontage on Langdon Street.

[Timestamp 2:03:56] Vice-Chair Coviello asked if the wetland buffer would be impacted. Ms. Monastiero said they would not be in the buffer. Chair Chellman asked if there were hazardous materials on the site. Ms. Monastiero said they had to do additional site testing to determine that and if so, would take the necessary precautions when removing materials. She said they did not intend to do full foundations. Mr. Samonas asked if the applicant considered making it one building with more units. Ms. Monastiero said they did not because they felt that the best redevelopment of the site was to be congruent with the existing neighborhood feel. Mr. Bowen asked if there could be an ADU. Ms. Monastiero said there could not because of the three detached single-family homes on the lot. Mr. Stith agreed. Vice-Chair Coviello asked what restrictions applied to the 250-ft DES shoreland water quality protection line. Ms. Monastiero said they could be within the 250-ft shoreland buffer, and if they impacted it at all they would have to pay a fee and get a permit. Mr. Samonas asked for more detail on the design of the buildings. Ms. Monastiero said the unique shape of the site dictated what they could do and that they did not think there would be a great advantage in connecting the buildings. She said they would have three parking spaces and were restoring a lot of the site to create more green space. She said that section of Cornwall Street was not a City street, which was why the frontage

variance was needed. Chair Chellman said one house might have to change dimensions to fit the view corridor. Vice-Chair Coviello asked about trash removal. Ms. Monastiero said the condo association would contract it and that it would involve wheeling bins to the truck. She said it would be determined further after the project obtained the variance and that delivery trucks would also be addressed. It was further discussed.

DECISION OF THE BOARD

No action was taken.

- B.** The request of **Hill Hanover Group LLC (Owner)**, for property located at **181 Hill Street** requesting Preliminary Consultation for Site Plan Review. Said property is located on Assessor Map 125 Lot 14 and lies within the Character District 4-L1 (CD4-11). (LUPD-26-2)

[Timestamp 2:14:20] Attorney Derek Durbin was present on behalf of the applicant, along with the project architects Mark Gianniny and Richard Desjardins and property manager Jeff Stevens. He noted that a Hill Hanover Group member was also on Zoom. Attorney Durbin said the lot was 16,127 square feet and had three separate two-story multi-family buildings of four units each. He said the property was in the CD4-11 zoning district but was bordered to the north and west by the CD5 district and surrounded by a diverse mixture of uses. He said the portion of Hill Street that bordered the property that was privately owned was partly owned by Hill Hanover and by the Foundry Place property. He said the property had 24 parking spaces, including 10 surface spaces and 14 within the Foundry Place Garage. He said one single 3-story building with 18 residential units was proposed, along with 20 subterranean parking spaces in addition to keeping the 14 spaces in the garage. He said the property would require zoning relief from the BOA due to the proposed density, but the height and massing would be consistent with zoning.

[Timestamp 2:21:19] Mr. Gianniny said the lot was unique and that they felt it was transitional based on the zoning. He showed a conceptual rendering of the building and its surroundings and said they were stepping down the property to keep it looking residential. He said the parking garage would have two entrances and there would be a large area for mechanical spaces and other services, like trash recycling and mail delivery. He said the residential floor plans were similar and had six units ranging from 1,000 sf to under 1,600 sf and a mix of 1- to 3-bedroom units. He reviewed the site plan. Mr. Almeida said there was also an opportunity to gain three street parking spaces back where the curb cuts previously were, so he thought the parking situation was good. Vice-Chair Coviello said he felt a sense of loss by having the buildings demolished. He said he preferred that the property keep the garage the way it was but separate the above-grade three structures to help the transition. He said lumping the buildings together seemed like a big mass. Mr. Bowen asked about traffic flow, maintenance, and snow plowing. Mr. Gianniny said there would be an option to go to Hill Street or Hanover Street coming out of the parking garage. He said there was an existing access easement from the property as well as the condo association to the left to cross over the Heinemann property and that the easement would continue. Attorney Durbin said currently there were two contractors that maintained the area and snow plowing, and there was no formal agreement for one contractor to maintain it all. Mr. Bowen asked if the access easement across 363 Hanover Street was used. Attorney Durbin

said that easement was currently in litigation and that their plan was not dependent on the outcome. Mr. Samonas said different statements were made about parking. Attorney Durbin said his statement was an error, and he clarified that there would be 17 subterranean spaces and six spaces along Hill Street. Councilor Moreau clarified that the property behind Hill Street was in the CD4 zone and not the CD5 zone. Mr. Stith said it may still be showing as CD5 on MapGEO. Mr. Perier asked how the trash pickup would be dealt with, seeing that there wasn't much space in the entrance to the trash recycle room. Mr. Gianniny said typically a building that size would have private pickup, so totes or smaller dumpsters would be brought out to the truck.

DECISION OF THE BOARD

No action was taken.

3) CITY COUNCIL REFERRALS [Timestamp 2:35:50]

a. Historic District Map

Chair Chellman recommended tabling the map amendment until after the completion of the Master Plan update.

Vice-Chair Coviello moved that the Board table this map amendment until after the Master Plan update has been completed. Ms. Conard seconded. The motion passed with all in favor.

b. Portsmouth Submarine and Maritime Association request for a zoning change for the Albacore Park property located at 569 Submarine Way

Vice-Chair Coviello recused himself from the discussion.

Mr. Stith said the Association submitted a letter. He said currently the zoning was Single Residence B (SRB) and the use was not permitted. He said the Association originally got a variance for the use, but when they do expansions, they had to go back to the Zoning Board of Adjustment, so they requested to be zoned either Gateway 1 or Gateway 2. He said Gateway 2 would probably be more suitable because the property was across Market Street. He said a museum was not permitted by right in Gateway 1, so another consideration would be to make it a permitted use. It was further discussed. Mr. Stith said he recommended Gateway 2 zoning. Mr. Bowen said a letter was received from a neighbor who said Albacore Park abutted a residential area that would be adversely affected by the zoning change. Councilor Moreau said other properties owned by not-for-profits were considered civic districts, and she asked why the Board was not considering that. Mr. Almeida said the assumption that the park would have a negative impact was not fair and that there were opportunities to review the project at other levels.

Ms. Conard moved that the Board vote to recommend the City Council schedule first reading to change the zoning from Singel Residence B to Gateway-2 on Map 209 Lot 87. Mr. Almeida seconded. The motion passed with all in favor, with Vice-Chair Coviello recused.

Ms. Conard moved that the Board recommend the City Council schedule first reading to allow museum as a permitted use in Gateway-1 and Gateway-2. Mr. Almeida seconded. The motion passed with all in favor, with Vice-Chair Coviello recused.

c. Gateway Parcels [Timestamp 2:48:09]

Mr. Stith said when the Board voted in November, there was one property that showed up as two parcels in the Staff Memo, but that project merged the lots. He said it still showed up as two properties in the City's GIS and that the parcel was currently in the MRB zone. It was decided to classify it as the Gateway 1 District.

Ms. Conard moved that the Board recommend the City Council to change these two parcels to G1 and schedule first reading on the proposed map amendments as presented. Vice-Chair Coviello seconded. The motion passed with all in favor.

VIII. OTHER BUSINESS [Timestamp 2:49:42]

A. 1-15, 21 Congress Street - Requesting a 1-Year extension to the January 16, 2025 Site Plan Approval. (LU-22-12)

*Vice-Chair Coviello moved that the Board **grant** a one-year extension of the site plan approved on January 16, 2025. Ms. Conard seconded. The motion passed with all in favor.*

B. Chairman Updates and Discussion Items

Chair Chellman asked the Board for authority to have a discussion with Pease and report back about whether the Board should consider having discussions with the Pease Development Authority (PDA) and the City Manager about a possible change to the current scheme of the Pease property and the PDA's management of the non-airport portions of the site.

Vice-Chair Coviello moved to give authorization for the Chair to have the discussion with Pease. Mr. Almeida seconded. The motion passed with all in favor.

C. Board Discussion of Regulatory Amendments & Other Matters

There was no discussion.

IX. ADJOURNMENT

The meeting adjourned at 9:51 p.m.

Respectfully submitted,

Joann Breault
Planning Board Meeting Minutes Taker