



City of Portsmouth
Planning Department
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Portsmouth, NH
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Memorandum

To: Planning Board

From: Peter Stith, AICP
Assistant Planning Director

Date: April 10, 2026

Re: Recommendations for the April 16, 2026 Planning Board Meeting

I. APPROVAL OF MINUTES

A. Approval of the March 26, 2026 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 March 26, 2026 meeting and vote to approve meeting minutes with edits if needed.

II. DETERMINATIONS OF COMPLETENESS

SUBDIVISION REVIEW

- A. The request of **Paul J. Griffin Family Trust (Owner)**, for property located at **0 South Street and Richards Avenue** requesting Preliminary and Final Subdivision approval to subdivide one lot into two conforming lots with associated improvements. Said property is located on Assessor Map 112 Lot 24A and lies within the General Residence A (GRA) District. (LU-26-19)

Planning Department Recommendation

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

SITE PLAN REVIEW

- A. The request of **Sagamore Avenue CBC LLC (Owner)**, for property located at **1151 Sagamore Avenue** requesting Site Plan Review approval for the demolition of the existing structure and construction of four (4) standalone condominium single family structures with associated site improvements. Said property is located on Assessor Map 224 Lot 19 and lies within the Mixed Residential Office (MRO) District. (LU-25-178)
- B. **REQUEST TO POSTPONE** The request of **Brora LLC (Owner)**, for property located at **150 Portsmouth Boulevard** requesting Site Plan Review Approval for the construction of three (3), six (6) story multifamily residential buildings with associated site work including parking, driveway access, utility, drainage, landscaping, and lighting improvements. **REQUEST TO POSTPONE**

Planning Department Recommendation

Vote to determine that Items A and B are 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 applications for consideration.

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.

- A. The request of **Double MC LLC (Owner)**, for property located at **134 Pleasant Street** requesting Site Plan Review approval for redevelopment of the site to include reuse and expansion of the existing structure, and construction of a new structure, for residential and commercial uses with associated site improvements.

Update since the March 26,2026 Planning Board Meeting

The Planning Board referral was before the City Council at their regular meeting on Monday, April 6, 2026 to consider the request for egress across the Parrot Avenue municipal lot. Additional documentation was provided at the City Council meeting by the applicant's representative. In order for the Legal Department to have time to review the document, the City Council voted to continue this request to the April 20, 2026 meeting.

The applicant was before the Historic District Commission on April 1, 2026 and received administrative approval for the minor changes that were made since receiving a Certificate of Approval from the Commission in January.

The applicant has provided a revised plan set showing ingress and egress from the site from and to Pleasant Street. They will be before the Technical Advisory Committee on April 14th to get feedback on the change prior to the Planning Board meeting. Staff will provide a verbal update on the circulation.

If the Board finds more information is needed to make a decision on this application, the Board can take the following actions:

- 1. Vote to continue to the May 21, 2026 meeting.***
- 2. Vote to deny the application without prejudice.***

If the Board chooses either of the two options above, it should state clear reasons why to give the applicant guidance on what additional information is needed (Option 1) or reasoning on why it chose Option 2 above. If the Board determines there is enough information to proceed with the application, the original recommendations are found below this section from the March 26, 2026 meeting.

The following is from the March 26, 2026 staff memo:

Background

The applicant proposes an expansion at 134 Pleasant Street, including basement parking, a new street-facing building, site circulation changes, landscaping, and lighting. The accessory drive-through is not permitted under current zoning regulations but has been in existence since the 1980s. The applicant sought a variance to relocate the drive-through and that request was denied (See Board of Adjustment details below). The proposed site plan layout before the Board leaves the drive-through elements unchanged, although the banking operation will be located in the new building in the front.

The proposal requires vehicular egress across City-owned property associated with the Parrott Avenue municipal parking lot. Two alternative configurations have been presented; one that leaves existing conditions as they currently are, including vehicular egress for the property over the City-owned Parrott Ave parking lot, and the plan preferred by the Applicant, which reconfigures vehicular egress over the Parrott Avenue Parking Lot adjacent to the State Courthouse. The option preferred by the Applicant would eliminate parking currently used by the Courthouse and add additional parking on the Parrott Ave parking lot. The Applicant does not have any vested legal right for vehicular egress at either location.

Pursuant to Chapter 11, Article VI, Section 11.601, the intent of this Article is to ensure that municipal actions involving land acquisition, disposition or use, and changes affecting public streets, are considered in the context of the City's comprehensive planning. Section 11.602 requires that any acquisition or disposition of municipal real property, including easements, and any plan for the construction, alteration, relocation or discontinuance of a public way, be referred to the Planning Board in writing prior to final action by the City Council.

Both proposed egress options require either a license or easement across City-owned property and modifications to circulation within a municipal parking area and associated right-of-way. These actions therefore require City Council approval and a written recommendation from the Planning Board. As part of its Site Plan Review authority, the Planning Board evaluates circulation, safety, and land use impacts and should recommend a preferred option for City Council consideration. If neither option is approved by the City Council, the applicant will need to redesign the plan so traffic can enter and exit from Pleasant Street, which would require a site plan amendment if the application is approved in its current form. Therefore, it is staff's recommendation that the Planning Board consider all three options: (1) to reconfigure egress adjacent to the Courthouse; (2) continue egress in the current format; and (3) reject both proposals, requiring redesigning the project such that all vehicular ingress and egress

would be located on Pleasant Street. Staff therefore requests that the Planning Board recommend a preferred option to the City Council.

Additionally, the project requires installation of a new drain line crossing the Parrott Ave parking lot to tie into existing City drainage infrastructure. City staff therefore requests the Planning Board recommend that the City Council grant the Applicant a revocable license for a drain line crossing the Parrott Ave lot, which can be relocated at the Applicant's expense if requested by the City.

ARTICLE VI: REFERRALS TO PLANNING BOARD (Added 12/21/2009)

Section 11.601: INTENT

The intent of this Article is to ensure that proposed municipal actions relating to land acquisition, disposition or use, and to the laying out, construction or discontinuance of public streets, are considered in the context of the City's comprehensive planning.

Section 11.602: REFERRAL AND REPORT

- A. The following matters shall be referred to the Planning Board in writing at least thirty (30) days before final action is taken:
 - (1) Any acquisition or disposition of municipal real property, including fee transfers, easements and licenses;
 - (2) Any plan for the construction, alteration, relocation, acceptance or discontinuance of a public way.
- B. No final action on a matter listed herein shall be taken until either the Planning Board has reported to the City Council thereon in writing or sixty (60) days have elapsed since the referral without such report.
- C. The failure to refer a matter listed herein to the Planning Board shall not affect the legal validity or force of any action related thereto if the Planning Board waives such referral.

The applicant has requested the ability to obtain a building permit for a portion of the work prior to posting the required site bond. Under the Site Plan Review Regulations, Site Plan approval is not effective until a Site Plan Review Agreement has been fully executed and all required performance security has been posted (Section 2.11(5)). The Planning Board does not have authority to waive these requirements. In addition, when a Construction Management Mitigation Plan (CMMP) is required, *"no site work is authorized nor shall work commence before the Plan has been accepted and approved as to content and form by the City"*(Section 2.15.3).



Project Review, Decisions, and Recommendations

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

Board of Adjustment

The applicant was before the Board of Adjustment at its regularly scheduled meeting of Tuesday, October 28, 2025 to relocate the location of the accessory drive-through facility on the lot. The Board voted (6-1) to deny the request because it does not meet the public interest or the spirit of the Ordinance.

The applicant requested a rehearing of the above decision and at the December 16, 2025 meeting, the Board voted to deny the request for rehearing, because the applicant failed to identify an error in procedure or law in the decision by the Board.

The applicant has appealed the Board’s decision and the matter is currently pending to Superior Court.

Note that the application before you has been redesigned to keep the drive through in its current location. If the Board approves the current plan and the applicant prevails in court a site plan amendment will be required by the Planning Board.

Historic District Commission

After several work sessions with the HDC, the applicant was before the Historic District Commission at its regularly scheduled meeting of Wednesday, January 7, 2026 the Commission voted unanimously (7-0) to grant the Certificate of Approval with the following conditions:

1. *The masonry exterior cladding materials shall require further conversation, and*
2. *In-place on site samples shall show jointing and technique along with some alterations in the choice of materials.*

Technical Advisory Committee

The applicant was before the Technical Advisory Committee at its regularly scheduled meeting of Tuesday, February 3, 2026 and the Committee voted unanimously to recommend approval to the Planning Board with the following conditions:

1. *City Council approval is needed for the proposed reconfiguration of traffic flow and parking spaces with easements.*
2. *Third party inspection required for utility work and work in the right-of-way and on City property.*
3. *Drainage system will require final approval from DPW before Planning Board submission.*
4. *Applicant must provide a license and easement plan.*
5. *Details of the foundation design will require DPW approval before a foundation permit can be issued.*
6. *Applicant must provide an updated truck turning template showing firetruck circulation layout and alternate circulation layout.*
7. *CMMP will be required.*

The TAC conditions have been addressed in the Planning Board submission or added as conditions below.

Planning Department Recommendation
Site Plan Review 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 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) *City Council approval is required for the proposed reconfiguration of traffic flow and parking spaces with easements. If City Council approval is not granted for either of the site plan options, redesign of the site to provide ingress and egress from Pleasant Street will be necessary and will need to be reviewed and approved as a Site Plan Amendment.*
- 2.4) *Any site development (new or redevelopment) resulting in 15,000 square feet or greater ground disturbance will require the submittal of a Land Use Development Tracking Form through the Pollutant Tracking and Accounting Program (PTAP) online portal. For more information visit <https://www.cityofportsmouth.com/publicworks/stormwater/ptap>*
- 2.5) *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.*
- 2.6) *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.*

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

- 2.5) *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;*

- 2.6) *A stormwater inspection and maintenance report shall be completed annually and copies shall be submitted for review to the City's Stormwater Division/ Public Works Department.*

Planning Department Recommendation
Referral to City Council

1. *Pursuant to Chapter 11, Article VI, Section 11.602, vote to recommend approval of Egress Option for the (Proposed Site Plan or Alternate Site Plan) for vehicular access across City-owned property associated with the Parrott Avenue municipal parking lot, as shown on the (Site Plan or Alternate Site Plan).*
2. *Vote to recommend that the City Council approve a license and/or easement for a private stormwater pipe and related drainage infrastructure to cross City-owned property within the Parrott Avenue municipal parking lot area, as shown on the off-site grading and drainage plans submitted for 134 Pleasant Street, with the condition that the City shall retain the authority to require the removal, modification, or relocation of the stormwater infrastructure at any time, at the sole expense of the property owner, should the City determine such action is necessary for municipal purposes, public improvements, or changes to City operations, and subject to final legal review by the City Attorney and the Department of Public Works.*

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 **Paul J. Griffin Family Trust (Owner)**, for property located at **0 South Street and Richards Avenue** requesting Preliminary and Final Subdivision approval to subdivide one lot into two conforming lots with associated improvements. Said property is located on Assessor Map 112 Lot 24A and lies within the General Residence A (GRA) District. (LU-26-19)

Project Background

This application is for a subdivision of the existing 17,459 sq. ft. parcel into two conforming residential lots and construction of one single-family dwelling on each lot. The site is currently vacant and has frontage on South Street and Richards Avenue. The applicant has provided preliminary site layouts, building footprints, driveway access, drainage, and utility connections to demonstrate compliance with zoning and subdivision regulations.



Project Review, Decisions, and Recommendations

The applicant was before the Technical Advisory Committee. See below for details.

Technical Advisory Committee

The applicant was before the Technical Advisory Committee at its regularly scheduled meeting of Tuesday, March 3, 2026 and the Committee voted unanimously to recommend approval as presented.

Planning Department Recommendation
Subdivision

1) Vote to find that the Subdivision Application meets the requirements set forth in the Subdivision Rules and Regulations and to adopt the findings of fact as presented.

(Alt.) Vote to find that the Site Plan Application meets the requirements set forth in the Subdivision Rules and Regulations and to adopt the findings of fact as amended.

2) Vote to grant Preliminary and Final Subdivision Approval with the following conditions:

2.1) Property monuments shall be set as required by the Department of Public Works prior to the filing of the plat.

2.2) GIS data shall be provided to the Department of Public Works in the form as required by the City.

2.3) 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.

2.4) The final plat and all easement plans and deeds shall be recorded concurrently at the Registry of Deeds by the City or as deemed appropriate by the Planning Department.

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.

- B.** The request of **Atlas Commons LLC (Owner)**, for property located at **581 Lafayette Road** requesting a second one-year extension of the Site Plan for two 4-story additions to the existing building that will total 72 residential units with associated site improvements including lighting, utilities, landscaping, and stormwater treatment/management and a Conditional Use Permit from Section 10.5B72 for increased density, building height and footprint. Said property is located on Assessor Map 229 Lot 8B and lies within the Gateway Corridor (G1) District. (LU-23-189)

Project Background

The applicant received Site Plan Approval and a Conditional Use Permit from the Planning Board on May 16, 2024, for a mixed-use redevelopment at 581 Lafayette Road. On March 20, 2025, the Planning Board granted a one-year extension of both the Site Plan approval and the Conditional Use Permit, extending the approvals to May 16, 2026.

The applicant is now requesting a second one-year extension of the Site Plan approval, which is permitted under the Site Plan Review Regulations, but requires the applicant to go before TAC and the Planning Board for a second extension. The Zoning Ordinance allows a Conditional Use Permit to be extended one time only for up to one year. Because of this regulation, the previously approved Conditional Use Permit is no longer eligible for another extension. The applicant has applied for a new Conditional Use Permit in order to maintain the project's approvals for increased building height, density, dwelling units per building, and other modifications of standards previously granted. The proposed development remains substantively unchanged from the project approved in 2024.

As part of the Conditional Use Permit approved by the Planning Board on May 16, 2024, the Board granted modifications of standards pursuant to the Gateway Neighborhood Mixed-Use District including the following:

Special Setback Requirements on Lafayette Road: A modification was granted from Section 10.5B22.40, as the required minimum and maximum setback range from the centerline of Lafayette Road could not be met due to the location of the public right-of-way and the configuration of the site.

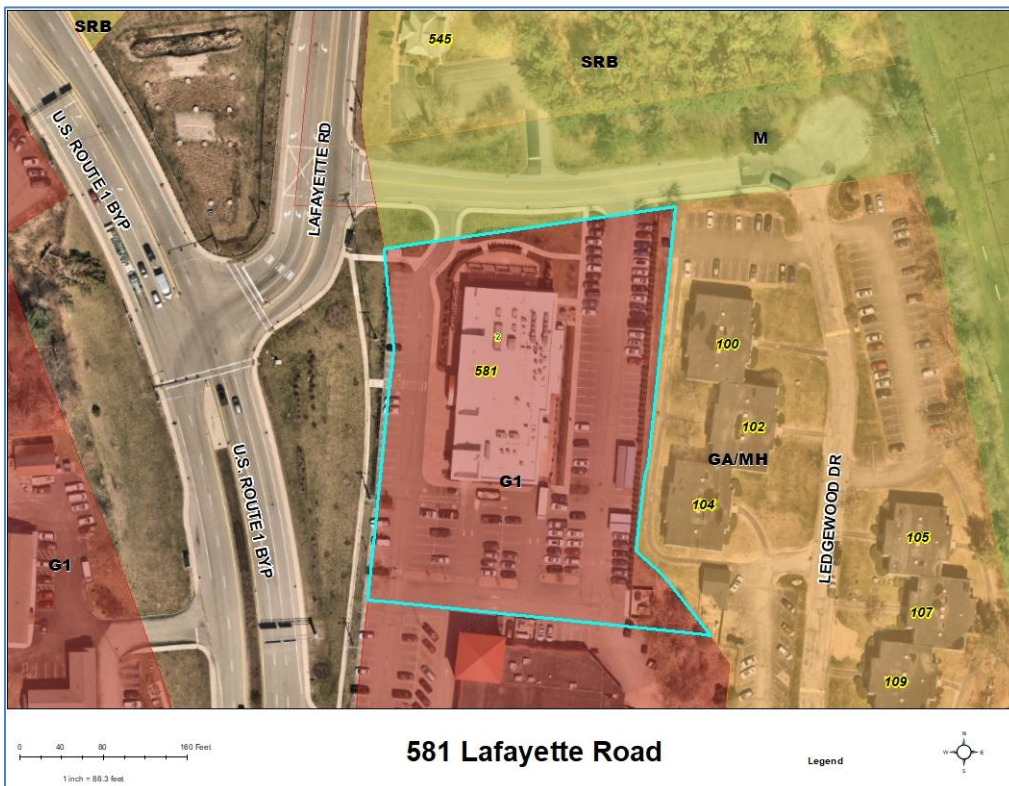
Public Realm Location: A modification was granted from Section 10.5B73.20 to allow required public realm improvements to be located on a different lot and within a different zoning district than the development site.

Dwelling Units per Building: A modification was granted from Section 10.5B34.80 to allow a single mixed-use building containing a total of seventy-two (72) dwelling units.

Community Space Coverage: A modification was granted from Section 10.5B41.80 to allow 7.6 percent community space where 10 percent is required, based on site constraints and the provision of enhanced on-site and off-site public spaces.

Building Footprint: A modification was granted to allow a building footprint of approximately 42,434 square feet, exceeding the standard maximum footprint, in order to accommodate the mixed-use building configuration and structured parking.

These modifications were granted in conjunction with the project's provision of workforce housing and public realm improvements and were found by the Planning Board to be consistent with the purpose and intent of the Gateway Neighborhood Mixed-Use District.



Since the original approval, the applicant has continued coordination with City departments and boards. The applicant received approval from the New Hampshire DES for minor wetland impacts associated with the public realm

improvements and obtained approvals from the Trees and Public Greenery Committee related to landscaping and tree removal.

Project Review, Decisions, and Recommendations

The project was before the Technical Advisory Committee. See below for details.

Technical Advisory Committee

The applicant was before the Technical Advisory Committee at its regularly scheduled meeting of Tuesday, March 3, 2026 and the Committee voted to recommend approval of the second extension request with the following conditions:

- 1) Applicant will move the Basketball pole out of the pavement;*
- 2) Round the corners of the sidewalks to accommodate a natural walking path in the cul-de-sac area.*
- 3) Applicant must obtain final approval of the catch basin from DPW.*

The conditions above have been addressed in the Planning Board submittal or added as conditions below.

Planning Department Recommendation

Conditional Use Permit

1) Vote to find that the Conditional Use Permit application meets the criteria set forth in Section 10.5B11 and 10.5B73 and to adopt the findings of fact as presented.

(Alt.) Vote to find that the Conditional Use Permit application meets the criteria set forth in Section 10.5B11 and 10.5B73 and to adopt the findings of fact as amended and read into the record.

2) Vote to grant modifications of standards from Section 10.5B22.40 Special Setback Requirements on Lafayette Road, Section 10.5B73.20 to allow the public realm improvements to be located in a different zoning district, Section 10.5B34.80 to allow a building with 72 units, Section 10.5B41.80 to allow 7.6% community space where 10% is required, and to allow a building footprint of 42,434 square feet where 24,000 is allowed.

3) Vote to grant the Conditional Use Permit as presented.

Planning Department Recommendation
Site Plan Extension

Vote to grant a second one-year extension of the site plan to May 16, 2027, incorporating all of the conditions from the May 23, 2024 letter of decision and the condition below:

- 1) Applicant must obtain final approval of the catch basin from DPW.*
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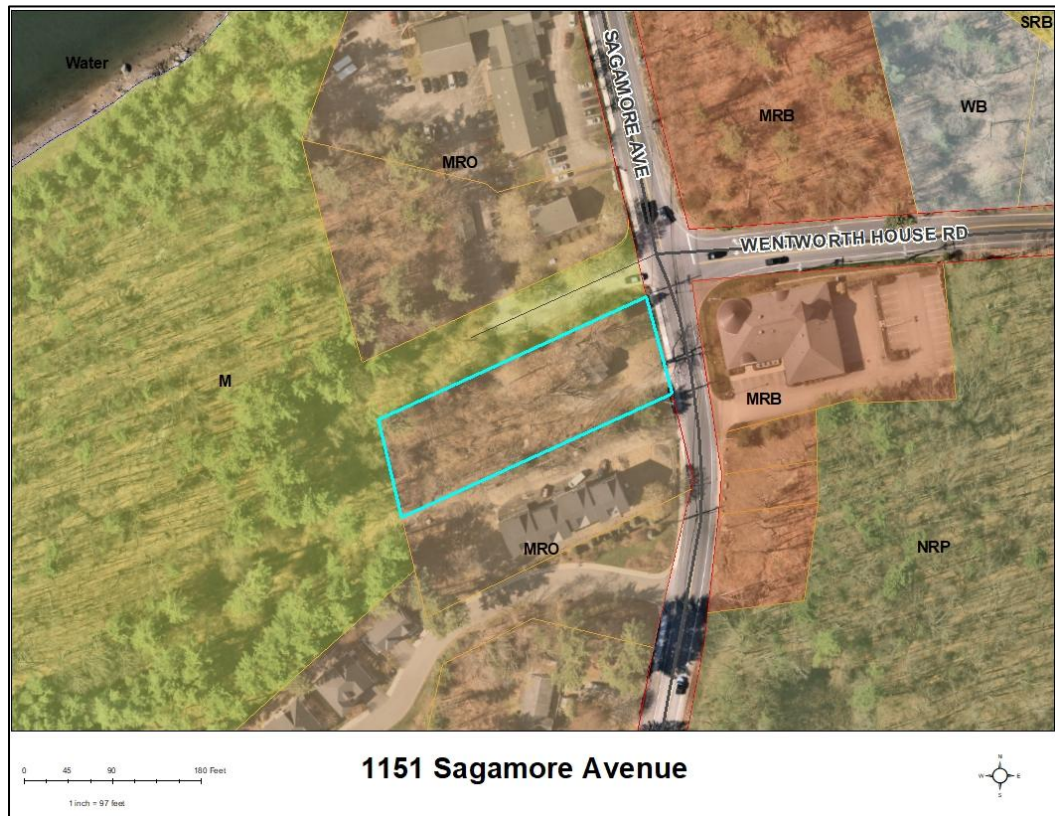
IV. PUBLIC HEARINGS – NEW BUSINESS

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.

- C. The request of **Sagamore Avenue CBC LLC (Owner)**, for property located at **1151 Sagamore Avenue** requesting Site Plan Review approval for the demolition of the existing structure and construction of four (4) standalone condominium single family structures with associated site improvements. Said property is located on Assessor Map 224 Lot 19 and lies within the Mixed Residential Office (MRO) District. (LU-25-178)

Background

The applicant proposes to construct 4 stand-alone single-family dwellings on one lot along with associated site improvements including access, utilities, drainage, parking, and landscaping. The subject property is located in the Mixed Residential Office (MRO) Zoning District. The proposed development complies with all applicable density, dimensional, parking, building height, lot coverage, and open space requirements of the MRO district. No variances or zoning relief are requested as part of this application.



Project Review, Decisions, and Recommendations

The applicant was before the Technical Advisory Committee. See below for details.

Technical Advisory Committee

The applicant was before the Technical Advisory Committee at its regularly scheduled meeting of Tuesday, March 3, 2026 and the Committee voted unanimously to recommend approval to the Planning Board as presented.

Planning Department Recommendation
Site Plan Review 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 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) The applicant shall provide an access easement to the City for water valve access and leak detection. The easement shall be reviewed and approved by the Planning and Legal Departments prior to acceptance by the City Council.*
- 2.4) Any site development (new or redevelopment) resulting in 15,000 square feet or greater ground disturbance will require the submittal of a Land Use Development Tracking Form through the Pollutant Tracking and Accounting*

*Program (PTAP) online portal. For more information visit
<https://www.cityofportsmouth.com/publicworks/stormwater/ptap>*

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

- 2.5) 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;*
- 2.6) A stormwater inspection and maintenance report shall be completed annually and copies shall be submitted for review to the City's Stormwater Division/ Public Works Department.*

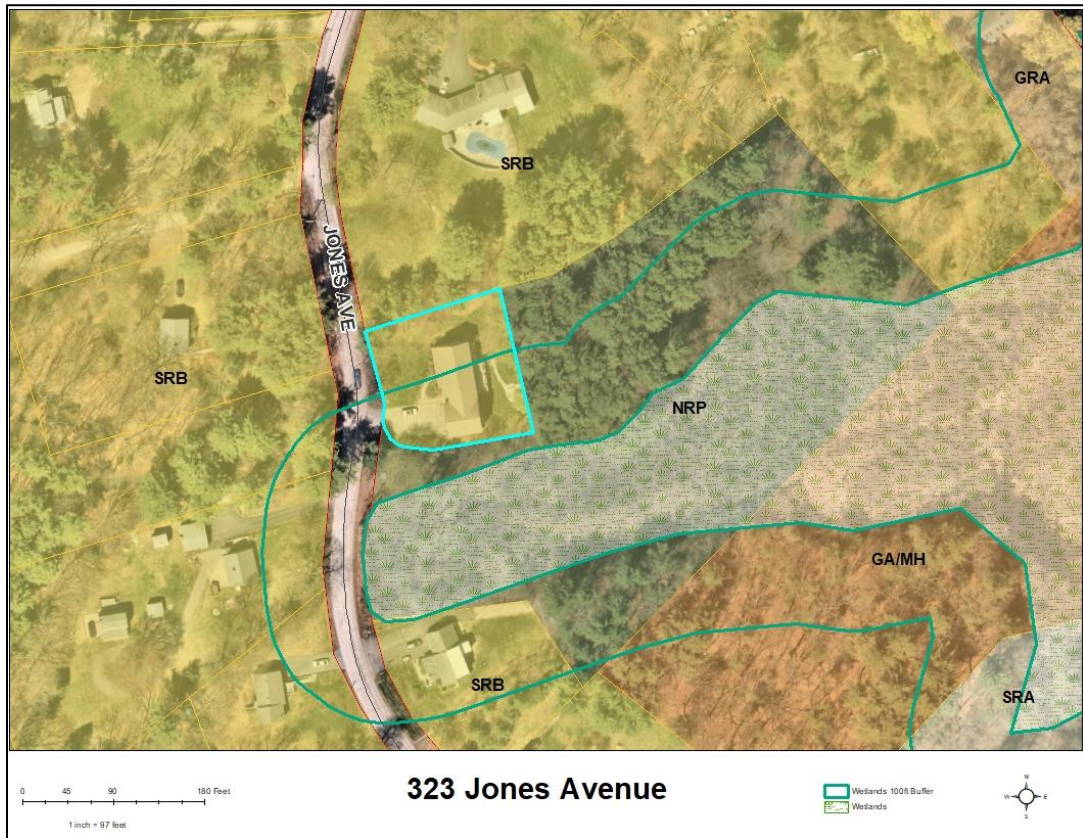
IV. PUBLIC HEARINGS – NEW BUSINESS

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 **Peter Evans and Julie Myers Revocable Trust (Owner)**, for property located at **323 Jones Ave** requesting a Wetland Conditional Use Permit from Section 10.1017.50 for the construction of a set of exterior stairs to access an ADU above an existing garage which is located within the wetland buffer area. The stairs will create approximately 96 s.f. of impact within the buffer. The stairs will create approximately 96 s.f. of impact within the buffer. Said property is located on Assessor Map 222 Lot 72 and lies within the Single Residence B (SRB) District. (LU-26-28)

Project Background

This application is for the construction of a set of exterior stairs to access an ADU above an existing garage. This set of stairs is proposed to be built within the wetland buffer and will create approximately 96 s.f. of impact. The stairs will provide access to the proposed Accessory Dwelling Unit on the second floor of the garage.



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.

This lot is already a developed lot and is suited to the use of exterior stairs.

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

This project is proposing a set of stairs closer to the wetland than the existing structure. There may be an alternative location but it still would not be outside of the wetland buffer.

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

The proposed work appears to be simple and the concurring impacts to the wetland buffer would stem from temporary construction impacts and then stormwater runoff through the new structure. To ensure no adverse impacts, applicant should consider a spacing size of at least $\frac{1}{4}$ or $\frac{1}{2}$ " for any stair materials such as boards and decking. In addition, the applicant should consider installing vegetation and/or crushed stone beneath the stairs to help slow down and filter stormwater before it flows into the adjacent wetland.

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

This project does not propose any vegetation alteration. If vegetation or existing lawn is to be removed as part of this project, applicant should consider replacing in kind.

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

This project proposes a minor impact that could be mitigated through actions such as planting native wetland buffer species and taking into account stormwater permeability when constructing the staircase.

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

It appears as though the vegetated buffer strip is not being disturbed with this project.

Project Review, Decisions, and Recommendations

The applicant was before the Conservation Commission. See below for details.

Conservation Commission

The applicant was before the Conservation Commission at its regularly scheduled meeting of Wednesday, March 11, 2026 and the Commission voted unanimously (7-0) 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. It is recommended that markers be placed along the 25' vegetative buffer at 50-foot intervals.*
- 2. Applicant shall place crushed stone below the proposed staircase to help with infiltration of stormwater.*
- 3. Applicant shall construct the staircase with at least ¼ - ½" spacing between any boards to allow for permeability.*

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 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.

2.2) Applicant shall place crushed stone below the proposed staircase to help with infiltration of stormwater.

2.3) Applicant shall construct the staircase with at least ¼ - ½" spacing between any boards to allow for permeability.

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. REQUEST TO POSTPONE The request of **Brora LLC (Owner)**, for property located at **150 Portsmouth Boulevard** requesting Site Plan Review Approval for the construction of three (3), six (6) story multifamily residential buildings with associated site work including parking, driveway access, utility, drainage, landscaping, and lighting improvements and reconstruction of Portsmouth Boulevard in front of the development. Said property is located on Assessor Map 213 Lot 12 and lies within the Office Research (OR) and Gateway Neighborhood Overlay (GNOD) Districts. (LU-25-114) **REQUEST TO POSTPONE**

V. OTHER BUSINESS

- A.** Chairman's Updates and Discussion Items
- B.** Board Discussion of Regulatory Amendments and Other Matters

VI. ADJOURNMENT