



CITY OF PORTSMOUTH

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

PLANNING BOARD

April 23, 2026

Double Mc LLC
10 Pleasant Street, Suite 300
Portsmouth, New Hampshire 03801

RE: Request for Site Plan Review approval for property located at 134 Pleasant Street, Portsmouth NH 03801 (LU-25-138)

Dear Property Owner:

The Planning Board, at its regularly scheduled meeting of **Thursday, April 16, 2026**, considered your request to postpone your application for 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. Said property is shown on Assessor Map 116 Lot 30 and lies within the Character District 4 (CD4) and Historic District. As a result of said consideration, the Board voted to **continue** to the May 21, 2026 meeting.

This matter will be placed on the agenda for the Planning Board meeting scheduled for **Thursday, May 21, 2026**. One (1) hard copy of any revised plans and/or exhibits as well as an updated electronic file (in a PDF format) must be filed in the Planning & Sustainability Department and uploaded to the online permit system no later than Friday, May 1, 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:

Francis X. Bruton, Esq., Attorney, Bruton & Berube, PLLC

Tracy Kozak, ARCoVe Architects

John Chagnon, Haley Ward

James J. Steinkrauss, Esq., Attorney, Rath, Young & Pignatelli, PC

Michael K. O'Neil, Esq., Attorney, Rath, Young & Pignatelli, PC



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PLANNING BOARD

April 23, 2026

J. Paul Griffin Family Trust
PO Box 149
Portsmouth, New Hampshire 03801

RE: Request for Preliminary and Final Subdivision approval for property located at 0 South Street and Richards Ave, Portsmouth, NH (LU-26-19)

Dear Property Owner:

The Planning Board, at its regularly scheduled meeting of Thursday, April 16, 2026, considered your application for Preliminary and Final Subdivision approval to subdivide one lot into two conforming lots with associated improvements. Said property is shown on Assessor Map 112 Lot 24A and lies within the General Residence A (GRA) District.

The Board voted 1) 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; *and* 2) 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.

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.

All conditions of subdivision approval, including recording of the plat as required by the Planning & Sustainability Department, shall be completed within six (6) months of the date of approval, unless an extension is granted by the Planning Director or the Planning Board in accordance with Section III.E of the Subdivision Rules and Regulations. If all conditions have not been completed within the required time period, the Planning Board's approval shall be deemed null and void.

This subdivision approval is not final until the Planning & Sustainability Director has certified that the applicant has complied with the conditions of approval imposed by the Planning Board.

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 stylized with large, flowing loops and a long horizontal tail stroke.

Rick Chellman, Chairman of the Planning Board

cc: Rosann Maurice-Lentz, City Assessor
Shawn Tobey, Haley Ward, Inc
Shawna Sammis, Chinburg Development

Findings of Fact | Subdivision Rules and Regulations

City of Portsmouth Planning Board

Date: April 16, 2026

Property Address: 0 South Street

Application #: LU-26-19

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.

	Subdivision Review Criteria	Finding (Meets Standards/ Requirements)	Supporting Information
1	Subdivision Rules and Regulations III. D. 1 The Board shall act to deny any application which is not in compliance with Section IV or V as appropriate. SECTION IV - REQUIREMENTS FOR PRELIMINARY PLAT	Meets	The project meets all the applicable Ordinances, Codes, and Regulations.
2	SECTION V - REQUIREMENTS FOR FINAL PLAT	Meets	The final plan will be submitted on mylar. The plan includes all of the information required for final approval and meets the standard for recording at the registry of deeds.
3	SECTION VI - GENERAL REQUIREMENTS	Meets	The application meets the general requirements of the regulations. The application was recommended approval by TAC on March 3, 2026.
4	SECTION VII - DESIGN STANDARDS	Meets	The development does not require the construction of any streets or public ways for access. Utility connections, drainage and access have been reviewed by TAC. TAC recommended approval on March 3, 2026.

	Subdivision Review Criteria	Finding (Meets Standards/ Requirements)	Supporting Information
5	<u>Other Board Findings:</u>		



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PLANNING BOARD

April 23, 2026

Atlas Commons, LLC
3 Pleasant Street, Suite 400
Portsmouth, New Hampshire 03801

RE: Request for 2nd extension to Site Plan approval and a CUP for property located at 581 Lafayette Road (LU-23-189)

Dear Property Owner:

The Planning Board, at its regularly scheduled meeting of Thursday, April 16, 2026, considered your application for 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 shown on Assessor Map 229 Lot 8B and lies within the Gateway Corridor (G1) District.

The Board voted 1) 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; *and* 2) 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; *and* 3) to **grant** the Conditional Use Permit as presented; *and* 4) 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:

4.1) Applicant must obtain final approval of the catch basin from DPW.

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 stylized with large, flowing loops and a long horizontal tail stroke.

Rick Chellman, Chairman of the Planning Board

cc: Shanti Wolph, Chief Building Inspector
Rosann Maurice-Lentz, City Assessor
Francis X. Bruton, Esq; Bruton & Berube, PLLC
John Chagnon; Ambit Engineering, INC.

Findings of Fact | Density Bonus Incentives Conditional Use Permit

City of Portsmouth Planning Board

Date: April 16, 2026

Property Address: 581 Lafayette Road

Application #: LU – 23 - 189

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.

Density Bonus Incentives Conditional Use Permit

10.5B72 A conditional use permit may be granted by the Planning Board for increased housing density or for increased building height and footprint.

	Density Bonus Incentive Findings	Finding (Meets Criteria/Requirement)	Supporting Information
1	The proposed project (and any conditions of approval) satisfies the requirements in Section 10.5B73 for providing workforce housing and Public Realm improvements (if seeking more than 1 incentive).	Meets	<p><u>Public Realm</u>: Section 10.5B73.20 1) Off road trail equal in length to the public street frontage of the site as provided in 10.5B73.20 (4) to be located on a different lot than the development lot, with a waiver to criteria (b) as the Public Realm Improvement is on a lot that is in a different Zoning District.</p> <p><u>Workforce Housing</u>: The development was designed in compliance with Section 10.5B73.10 Workforce Housing by providing 20% of the proposed dwelling units (15) as workforce housing units for rent. The Workforce Housing Covenant Document outlines the intended compliance with the workforce Housing Requirement. The Architectural details identify the units within the project that will be workforce housing, with locations and square foot areas.</p>
2	The proposed project is consistent with the purpose	Meets	The project meets the purpose (and intent) of Section 10.5B11 and the project supports

	Density Bonus Incentive Findings	Finding (Meets Criteria/Requirement)	Supporting Information
	and intent set forth in Section 10.5B11	Meets	the Master Plan goals in a significant way by providing affordable housing and a mixed-use development.
3	10.5B11.10 Purpose of Article 5B is to implement and support the goals of the City's Master Plan and Housing Policy to encourage walkable mixed-use development and continued economic vitality in the City's primary gateway areas, ensure that new development complements and enhances its surroundings, provide housing stock that is suited for changing demographics, and accommodate the housing needs of the City's current and future workforce.	Meets	The project meets the purpose of Section 10.5B11.10 by providing affordable housing and creating a mixed-use development.
4	10.5B11.20 a) Promote development that is consistent with the goals of the Master Plan to create vibrant, authentic, diverse, connected and resilient neighborhoods;	Meets	This project bookends another recently approved residential development in an area where dense housing in close proximity to retail and other services serves to create a vibrant neighborhood.
	b) Encourage high quality housing for a variety of household types and income ranges;	Meets	The project Architecture is high quality, and at the same time integrates affordable housing at the desired scale and percentage of units.
	c) Guide the physical character of development by providing a menu of building and site development types that are based on established community design principles; and	Meets	The character of the building provides a unique quality and a varied building type with quality as a key component.
	d) Create quality places by allowing for whole site development with meaningful public spaces and neighborhood centers.	Meets	The inclusion of Community Space provides the public spaces needed for the enjoyment of the residents. The public space at the other end of the neighborhood (adjacent to the marsh and Sagamore Creek) provide and enhance the area and create a defined

	Density Bonus Incentive Findings	Finding (Meets Criteria/Requirement)	Supporting Information
			neighborhood.
5	<u>Other Board Findings:</u>		



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PLANNING BOARD

April 23, 2026

Wyatt Peoples
1151 Sagamore Avenue CBC, LLC
76 State Street
Newburyport, Massachusetts 01950

RE: Site Plan Review approval for property located at 1151 Sagamore Avenue, Portsmouth, NH 03801 (LU-24-178)

Dear Property Owner:

The Planning Board, at its regularly scheduled meeting of **Thursday, April 16, 2026**, considered your application for 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 shown on Assessor Map 224 Lot 19 and lies within the Mixed Residential Office (MRO) District.

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) 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.

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,

A handwritten signature in black ink, appearing to read "Rick Chellman". The signature is stylized with large, sweeping loops and a long horizontal tail.

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
Drew Olehowski, Haley Ward Inc

Findings of Fact | Site Plan Review

City of Portsmouth Planning Board

Date: April 16, 2026

Property Address: 1151 Sagamore Ave.

Application #: LU-25-178

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> No Variances Required. Project complies with all Ordinance requirements including parking, setbacks, open space, building coverage, lot area per dwelling unit, height, and frontage.
2	Provision for the safe development, change or expansion of use of the site.	Meets	TAC reviewed the site layout, and recommended approval. Plans show all utility connections and drainage infrastructure needed. Driveway exists.
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	Rain Garden and subsurface infiltration systems to minimize storm water peak discharge and provide stormwater treatment. Erosion controls during construction as necessary. Long Term Maintenance Plan provided.

	Site Plan Review Regulations Section 2.9 Evaluation Criteria	Finding (Meets Standard/Criteria)	Supporting Information
4	Adequate protection for the quality of groundwater.	Meets	No groundwater withdrawal (water supply is city). No nearby production wells. Rain Garden and infiltration systems provide treatment.
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. Property has existing force main stub to be connected to. Stub size and capacity to serve development verified 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	Property will not have any fuel consuming devices. No Natural Gas, No Home Heating Oil. All appliances will be Energy Star certified. Air or Geo-thermal heat pump proposed. All air exchange via energy recovery ventilators. Filtered dryer vents are the only other exhaust points.
8	Adequate provision for fire safety, prevention and control.	Meets	Full NFPA 13 wet sprinkler system construction. Adequate FD access – reviewed during TAC.
9	Adequate protection of natural features such as, but not limited to, wetlands.	Meets	No wetlands or other protected natural resources on or adjacent to site.
10	Adequate protection of historical features on the site.	Meets	Site is vacant – no existing historical features are present. Existing single family residence was removed in 2025 under separate demolition permit.
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 residential use is a low volume trip generator.
12	Adequate traffic controls and traffic management measures to prevent an unacceptable increase in safety hazards and traffic congestion off-site.	Meets	Application was submitted to NHDOT in early 2026 and comments addressed. Final NHDOT submission to be made simultaneously to city approval.
13	Adequate insulation from		No adjacent high noise generators are

	Site Plan Review Regulations Section 2.9 Evaluation Criteria	Finding (Meets Standard/Criteria)	Supporting Information
	external noise sources.	Meets	present.
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 collection will be city curbside, as allowed. 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 reasonably be provided on the site	Meets	Site conforms to setbacks and open space requirements.
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	Site driveway connects to existing sidewalk along property's frontage.
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, Existing Lot. Previously used for one single family residence. 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	Professionally prepared landscape design provided.
19	Compliance with applicable City approved design standards.	Meets	Approved by the Technical Advisory Committee
	Other Board Findings:		



CITY OF PORTSMOUTH

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(603) 610-7216

PLANNING BOARD

April 23, 2026

Peter Evans and Julie Meyers Revocable Trust
323 Jones Avenue
Portsmouth, New Hampshire 03801

RE: Wetland Conditional Use Permit for property located at 323 Jones Avenue, Portsmouth NH 03801 (LU-26-28)

Dear Property Owners:

The Planning Board, at its regularly scheduled meeting of **Thursday, April 16, 2026**, considered your application for 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 shown on Assessor Map 222 Lot 72 and lies within the Single Residence B (SRB) District.

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 **conditions**:

- 2.1) *In accordance with Section 10.1018.40 of the Zoning Ordinance, applicant shall permanently install wetland boundary markers, which may be purchased through the City of Portsmouth Planning & Sustainability Department. 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.*

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,

Rick Chellman, Chairman of the Planning Board

cc: Shanti Wolph, Chief Building Inspector
Rosann Maurice-Lentz, City Assessor
cc:

Findings of Fact | Wetland Conditional Use Permit

City of Portsmouth Planning Board

Date: April 16, 2026

Property Address: 323 Jones Avenue

Application #: LU-26-28

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	This lot is already a developed lot and is suited to the use of exterior stairs.
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 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	<i>3. There will be no adverse impact on the wetland functional values of the site or surrounding properties.</i>	Meets	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 ¼ or ½" 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.

	Zoning Ordinance Sector 10.1017.50 Criteria for Approval	Finding <i>(Meets Criteria for Approval)</i>	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 vegetation alteration. If vegetation or existing lawn is to be removed as part of this project, applicant should consider replacing in kind.
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 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	<i>6. Any area within the vegetated buffer strip will be returned to a natural state to the extent feasible.</i>	Meets	It appears as though the vegetated buffer strip is not being disturbed with this project.
7	<u>Other Board Findings:</u>		



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PLANNING BOARD

April 23, 2026

Brora, LLC
210 Commerce Way, Suite 300
Portsmouth, New Hampshire 03801

RE: Site Plan Review approval for property located at 150 Portsmouth Boulevard,
Portsmouth, NH (LU-25-114)

Dear Property Owner:

The Planning Board, at its regularly scheduled meeting of **Tuesday, April 16, 2026**, considered your request to postpone your application for 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 shown on Assessor Map 213 Lot 12 and lies within the Office Research (OR) and Gateway Neighborhood Overlay (GNOD) Districts. As a result of said consideration, the Board voted to **postpone** the petition to the May meeting.

This matter will be placed on the agenda for the Planning Board meeting scheduled for **Thursday, May 21, 2026**. One (1) hard copy of any revised plans and/or exhibits as well as an updated electronic file (in a PDF format) must be filed in the Planning & Sustainability Department and uploaded to the online permit system no later than Friday, May 1, 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:

Neil Hansen, Tighe & Bond
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