

**PLANNING BOARD
PORTSMOUTH, NEW
HAMPSHIRE**

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

6:00 PM Public Hearings begin

September 17, 2026

ACTION SHEET

REGULAR MEETING 6:00pm

I. APPROVAL OF MINUTES

- A. Approval of the August 20, 2026 meeting minutes.

*The Board voted to **approve** the August 20, 2026 meeting minutes as presented.*

***Motion:** K. Conard, **Second:** B. Bowen*

Motion passed with all in favor.

II. DETERMINATIONS OF COMPLETENESS

SUBDIVISION

- A. The request of **Alea LLC (Owner)**, for property located at **238 Austin Street** requesting. Preliminary and Final Subdivision Approval to subdivide one lot into two lots and demolition of the existing structures to construct a single-family dwelling on each lot.

The Board voted to determine that Item A is complete according to the Subdivision Ordinance, (contingent on the granting of any required waivers under Section III of the agenda) and to accept the application for consideration.

***Motion:** P. Giuliano, **Second:** B. Bowen*

Motion passed with all in favor.

III. 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 **Public Service of New Hampshire d/b/a Eversource Energy, (Owner)**, for property located at **400 Gosling Rd/Schiller Substation E194 Utility ROW** requesting a Wetland Conditional Use Permit from Section 10.1017.60 for the replacement of 12 wooden structures with new steel structures which includes 45,531 square feet of temporary wetland buffer impacts and 37,390 square feet of temporary wetland impacts. Said property is located on Assessor's Map 239 Lots 16, 18; Map 238 Lot 20; Map 237 Lot 56; Map 236 Lot 34; Map 240 Lot 2-1, Map 240 Lots 2-2001, and 3 and lies within the Gateway Neighborhood Corridor (G1), Office Research (OR), Municipal (M), and General Business (GB) Districts. (LU-26-90)

1) The Board voted 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.

Motion: P. Giuliano, **Second:** J. Almeida
Motion passed with all in favor.

*2.) The Board voted to **grant** the Conditional Use Permit as presented.*

Motion: P. Giuliano, **Second:** J. Almeida
Motion passed with all in favor.

- B. The request of **Alea LLC (Owner)**, for property located at **238 Austin Street** requesting Preliminary and Final Subdivision Approval to subdivide one lot into two lots and demolition of the existing structures to construct a single-family dwelling on each lot. Said property is located on Assessor Map 135 Lot 61 and lies within the General Residence C (GRC) District. (LU-25-177)

*The Board voted to **grant** the requested waiver from Section VI.6 Drainage Improvements of the Subdivision Ordinance.*

- a) Specific circumstances relative to the subdivision, or conditions of the land in such subdivision, indicate that the waiver will properly carry out the spirit and intent of the regulations.*

Motion: K. Conard, **Second:** A. Samonas
Motion passed with all in favor.

1) The Board voted 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.

Motion: A. Samonas, **Second:** K. Conard
Motion passed with all in favor.

2) The Board voted 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.

2.5) Construction Management and Mitigation Plan (CMMP) is required. The CMMP will require a minimum of a 1-day notice to abutters for any street closures and will provide monthly updates to abutters during the life of the project.

2.6) Pre- and post-construction survey and vibration monitoring required during demolition and foundation stage of construction.

2.7) Barn and rodents must be removed prior to recordation of the subdivision plan.

2.8) Preference for demolition and construction for all structures to access and exit through Austin Street.

Motion: A. Samonas, **Second:** K. Conard

Motion passed with all in favor.

C. The request of **PWED2 LLC (Owner)**, for property located at **921 Islington Street** requesting a Conditional Use Permit from Section 10.0440, Use #19.50 for an accessory outdoor dining and drinking area. Said property is located on Assessor Map 172 Lot 10 and lies within the Character District 4-W (CD4-W). (LU-25-96)

1) The Board voted to find that the Conditional Use Permit application meets the criteria set forth in Section 10.243.20 and to adopt the findings of fact as presented.

Motion: K. Conard, **Second:** J. Almeida

Motion passed with all in favor.

2) The Board voted to **grant** the conditional use permit as presented.

Motion: K. Conard, **Second:** J. Almeida

Motion passed with all in favor.

- D.** The request of **The City of Portsmouth, (Owner)**, for property located along **Peverly Hill Road - Side Path Project City ROW** requesting a Wetland Conditional Use Permit from Section 10.1017.50 for the reconstruction of approximately 1-mile section of Peverly Hill Road between West Road and Middle Road (NH Route 33). The purpose of the project is to enhance safety for all modes of travel (vehicles, bicyclists, and pedestrians) in conformance with the City of Portsmouth's Complete Street Policy adopted in 2013. The project includes 970 square feet of permanent wetland impacts, 2,488 square feet of temporary wetland impacts, 21,419 square feet of permanent wetland buffer impacts, and 7,294 square feet of temporary wetland buffer impacts on private property. The work within the City ROW is exempt. Said property is located on Assessor's Map 243 Lots 50, 52 and 53, Map 242 Lots 3 and 4, Map 244 Lots 10-A and 10-B, Map 253 Lot 7 and Map 255 Lot 2 and lies within the Single Residence A (SRA), Single Residence B (SRB), Natural Resources Protection (NRP), Gateway Neighborhood Mixed Use Center (G-2), and Municipal (M) Districts. (LU-26-104)

1) The Board voted 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.

Motion: P. Giuliano, **Second:** F. Perier
Motion passed with all in favor.

*2.) The Board voted to **grant** the Conditional Use Permit with the following **condition**:*

- 2.1) Prior to project completion: In lieu of the requirements of Section 10.1018.40 of the Zoning Ordinance to permanently install wetland boundary markers, applicant shall install an educational sign at some point along the new stretch of the sidewalk or multiuse path with a brief description of the environmental sensitivity of the area, the neighboring prime wetland and how this transportation project improved water quality entering into these systems. As part of this signage, a City of Portsmouth Wetland Boundary Placard shall be included on the signpost for education purposes.*

Motion: P. Giuliano, **Second:** R. Wolf
Motion passed with all in favor.

- E.** The request of **Tidewatch Condominium Association, (Owner)**, for property located at **579 Sagamore Avenue** requesting an After-the-Fact Wetland Conditional Use Permit for the removal of a mature beech tree within the vegetated no-cut wetland buffer. The applicant is proposing to plant within three locations in the 25-foot buffer to stabilize the area. Said property is located on Assessor's Map 223 Lot 30 and lies within the Single Residence A (SRA) District. (LU-26-103)

1) The Board voted 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.

Motion: P. Giuliano, **Second:** R. Wolf
Motion passed with all in favor.

2.) The Board voted 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 two wetland boundary markers, which may be purchased through the City of Portsmouth Planning & Sustainability Department.
- 2.2 Trees to be planted shall be a minimum of 2-inch caliper at the time of planting.
- 2.3 Applicant shall monitor the survival of the three trees and eight shrubs and submit annual reports to the Planning & Sustainability Department for the first two years after installation. If plant survival is less than 80% after two years, replacement planting shall occur.

Motion: P. Giuliano, **Second:** K. Conard
Motion passed with all in favor.

- F. The request of **Rezma Shrestha & Mark Esposito (Owners)**, for property located at **224 Cate Street** requesting a Wetland Conditional Use Permit from Section 101017.50 for landscape work which includes regrading, stormwater control, soil aeration, tree removal, and new plantings. The applicant is proposing to regrade approximately 250 square feet of the wetland buffer, removal of dead ash and maple trees, and replant with a mix of native trees and shrubs. Said property is located on Assessor Map 173 Lot 3 and lies within the General Residence A (GRA) District. (LU-26-106)

1) The Board voted 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.

Motion: B. Moreau, **Second:** J. Almeida
Motion passed with all in favor.

2.) The Board voted to **grant** the Conditional Use Permit with the following **conditions**:

- 2.1) No excavation shall occur below the top of the bank of Hodgson Brook as part of this work.

Motion: B. Moreau, **Second:** J. Almeida
Motion passed with all in favor.

- G. **POSTPONED TO OCTOBER** The request of **124 Group Inc (Owner)**, for property located at **124 Heritage Avenue** requesting amended Site Plan approval for minor site improvements including a garden, ADA accessible ramp, parking lot re-striping, stormwater conveyance modifications, lighting and landscaping. Said property is located on Assessor's Map 284 Lot 8 and lies within the Industrial (I) District. **POSTPONED TO OCTOBER** (LU-26-61)

The Board voted to **postpone** the application to the October meeting.

Motion: K. Conard, **Second:** J. Almeida
Motion passed with all in favor.

H. Site Plan Review Regulation Amendments to Article 1, 2, 3, 4, and 5 of the Site Plan Review Regulations.

The Board voted to adopt the proposed Site Plan Review Regulation amendments, as amended, with an effective date concurrent with the effective date of the corresponding parking-related zoning amendments currently before the City Council.

Motion: B. Moreau, **Second:** R. Wolf
Motion passed with all in favor.

I. Subdivision Ordinance Amendments to Section II Definitions of the Subdivision Ordinance.

The Board voted to amend the Subdivision Ordinance as presented.

Motion: B. Moreau, **Second:** K. Conard
Motion passed with all in favor.

IV. CITY COUNCIL REFERRALS

A. 0 Elm Street

*The Board voted to **postpone** the request to the October meeting pending site visits by Board members.*

Motion: P. Giuliano, **Second:** R. Wolf
Motion passed with all in favor.

B. 361 Hanover Street - Landscape and pole license over City property

*The Board voted to **postpone** consideration to the October meeting pending a report back from DPW on the status of the retaining wall along Foundry Place.*

Motion: K. Conard, **Second:** P. Giuliano
Motion passed with all in favor.

C. Housing Action Plan

The Board voted to recommend the City Council accept the Housing Action Plan as presented.

Motion: P. Giuliano, **Second:** A. Samonas
Motion passed 8-1 with B. Bowen voting against.

D. Heritage Commission

No action taken.

E. Preapproved Plans for Accessory Dwelling Units+

No action taken.

V. OTHER BUSINESS

- a. 1 (15) Congress Street** requesting a 1-Year Extension to the Conditional Use Co-Living Permit approval granted on September 18, 2025. (LU-22-12)

*The Board voted to **grant** a one-year extension of the Conditional Use permit to September 18, 2027.*

***Motion:** B. Moreau, **Second:** R. Wolf*

Motion passed with all in favor.

- b. Board discussion on Regulatory Amendments**

- i. Article 10 Amendments**

No action taken.

- c. Chairman updates and discussion items**

VI. ADJOURNMENT

The meeting was adjourned at 10:04 pm.