



CITY OF PORTSMOUTH

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

PLANNING BOARD

September 24, 2026

Public Service Company of New Hampshire
d.b.a. Eversource Energy
13 Legends Drive
Hooksett, New Hampshire 03106

RE: Wetland Conditional Use Application for easement areas along the E194 Utility Corridor, Portsmouth, NH (LU-26-90)

Dear Owner:

The Planning Board, at its regularly scheduled meeting of **Thursday, September 17, 2026**, considered your application for 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 shown on Assessor 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.

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, *and* 2) to **grant** the Conditional Use Permit as presented.

The Board's decision may be appealed up to thirty (30) days after the vote. Any action taken by the applicant pursuant to the Board's decision during this appeal period shall be at the applicant's risk. Please contact the Planning & Sustainability Department for more details about the appeals process.

Unless otherwise indicated, applicant is responsible for applying for and securing a building permit from the Inspection Department prior to starting any project work. All conditions of approval must be completed prior to issuance of a building permit unless otherwise indicated.

This approval shall expire one year after the date of approval by the Planning Board unless a building permit is issued prior to that date. The Planning Board may grant a one-year extension of a conditional use permit if the applicant submits a written request to the Planning Board prior to the expiration date.

The Findings of Fact associated with this decision are available: attached here or as an attachment in the Viewpoint project record associated with this application and on the Planning Board Meeting website:
<https://www.cityofportsmouth.com/planportsmouth/planning-board/planning-board-archived-meetings-and-material>

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

Very truly yours,

Rick Chellman, Chairman of the Planning Board

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

Ashley Nicoletti, Owner Representative, Eversource Energy
Sherrie Trefry, Applicant, VHB

Findings of Fact | Wetland Conditional Use Permit

City of Portsmouth Planning Board

Date: 9-17-26

Property Address: Eversource Pole Replacement

Application #: LU-26-90

Decision: ☐ Approve

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 10.1017.60 (Criteria for Approval) of the Zoning Ordinance.

	Zoning Ordinance Sector 10.1017.60 Criteria for Approval	Finding (Meets Criteria for Approval)	Supporting Information
1	<i>1. The proposed project is in the public interest.</i>	Meets	The project is necessary to maintain existing corridor powerlines with upgraded support poles.
2	<i>2. Design, construction, and maintenance methods will utilize best management practices to minimize any detrimental impact of such use upon the wetland and will include restoration of the site as nearly as possible to its original grade condition and vegetated state. is no alternative location outside the wetland buffer that is feasible and reasonable for the proposed use, activity or alteration.</i>	Meets	The applicant has stated that wooden timber matting will be used to minimize the soil disturbance of wetlands and sensitive areas. Applicant has committed to temporary impacts only and will no longer be utilizing permanent gravel roadways, as previously proposed.

	Zoning Ordinance Sector 10.1017.60 Criteria for Approval	Finding (Meets Criteria for Approval)	Supporting Information
3	<i>3. No alternative feasible route exists which does not cross or alter a wetland or have a less detrimental impact on a wetland.</i>	Meets	The applicant appears to have chosen the routes with the least amount of impact to access the replacement poles.
4	<i>4. Alterations of natural vegetation or managed woodland will occur only to the extent necessary to achieve construction goals</i>	Meets	The majority of vegetation is expected to return to its original configuration after the timber mats are removed.
	<u>Other Board Findings:</u>		



CITY OF PORTSMOUTH

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

PLANNING BOARD

September 24, 2026

Alea, LLC
Matthew Boyer
238 Austin Street
Portsmouth, New Hampshire 03801

RE: Request for Preliminary and Final Subdivision for property located at 238 Austin Street, Portsmouth NH 03801 (LU-25-177)

Dear Property Owner:

The Planning Board, at its regularly scheduled meeting of Thursday, September 17, 2026, considered your application for 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 shown on Assessor Map 135 Lot 61 and lies within the General Residence C (GRC) District.

The Board voted

1) 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.

*and 2) 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 3) to **grant** Preliminary and Final Subdivision approval with the following **conditions**:*

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

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

3.3) 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.

3.4) 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.

3.5) 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.

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

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

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

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:

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Very truly yours,

A handwritten signature in black ink, appearing to read "Rick Chellman". The signature is stylized with a large, looping "R" and "C".

Rick Chellman, Chairman of the Planning Board

cc: Rosann Maurice-Lentz, City Assessor

R. Timothy Phoenix, Hoefle, Phoenix, Gormley & Roberts, PLLC

Monica F. Kieser, Hoefle, Phoenix, Gormley & Roberts, PLLC

Chris Ward, Applicant

Findings of Fact | Subdivision Rules and Regulations

City of Portsmouth Planning Board

Date: 9-17-26

Property Address: 238 Austin St.

Application #: LU-25-177

Decision: ☐ Approve

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	Applicable standards: 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 received variances from the Board of Adjustment for lot size and frontage and has been reviewed by the Technical Advisory Committee (TAC) for conformance with the General Requirements and was recommended for approval on August 4, 2026 at the Technical Advisory Committee Meeting.
4	SECTION VII - DESIGN STANDARDS		The application has been

	Subdivision Review Criteria	Finding (Meets Standards/ Requirements)	Supporting Information
		Meets	reviewed by the Technical Advisory Committee (TAC) for conformance with these minimum requirements and recommended for approval on August 4, 2026 at the Technical Advisory Committee Meeting.
5	<u>Other Board Findings:</u>		



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Hampshire 03801
(603) 610-7216

PLANNING BOARD

September 24, 2026

PWED2 LLC
3 Penstock Way
Newmarket , New Hampshire 03857

RE: Conditional Use Permit approval for property located at 921 Islington Street, Portsmouth NH 03801 (LU-25-96)

Dear Property Owner:

The Planning Board, at its regularly scheduled meeting of Thursday, September 17, 2026, considered your application for a Conditional Use Permit from Section 10.0440, Use #19.50 for an accessory outdoor dining and drinking area. Said property is shown on Assessor Map 172 Lot 10 and lies within the Character District 4-W (CD4-W).

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; *and* 2) to **grant** the conditional use permit as presented.

The Board's decision may be appealed up to thirty (30) days after the vote. Any action taken by the applicant pursuant to the Board's decision during this appeal period shall be at the applicant's risk. Please contact the Planning & Sustainability Department for more details about the appeals process.

Unless otherwise indicated above, applicant is responsible for applying for and securing a building permit from the Inspection Department prior to starting any project work. All stipulations of approval must be completed prior to issuance of a building permit unless otherwise indicated above.

This approval shall expire unless a building permit is obtained within a period of one year from the date granted, unless otherwise stated in the conditions of approval. The Planning Board may, for good cause shown, extend such period by as much as one year if such extension is requested and acted upon prior to the expiration date. No other extensions may be requested.

The Findings of Fact associated with this decision are available: attached here or as an attachment in the Viewpoint project record associated with this application and on the Planning Board Meeting website:

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

Very truly yours,

A handwritten signature in black ink, appearing to read "Rick Chellman". The signature is fluid and cursive, with the first name "Rick" written in a smaller, more legible script than the last name "Chellman", which is more stylized.

Rick Chellman, Chairman of the Planning Board

cc: Shanti Wolph, Chief Building Inspector
Rosann Maurice-Lentz, City Assessor
John Chagnon, P.E., Haley Ward
Meghan Boland, Chinburg Builders

Findings of Fact | Outdoor Dining Conditional Use Permit

City of Portsmouth Planning Board

Date: 9-17-26

Property Address: 921 Islington Street

Application #: LU-25-96

Decision: ☐ Approve

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.

Outdoor Dining Conditional Use Permit

10.242.10 The Planning Board may grant a conditional use permit if the application is found to be in compliance with the general criteria in Section 10.243 or, if applicable, the specific standards or criteria set forth in this Ordinance for the particular use or activity.

	Outdoor Dining Conditional Use Permit 10.243 Requirements	Finding (Meets Criteria/Requirement)	Supporting Information
1	10.243.21 The design of proposed structures, their height and scale in relation to the site's surroundings, the nature and intensity of the proposed use or activity, and the layout and design of the site will be compatible with adjacent and nearby properties, buildings and uses, will complement or enhance the character of surrounding development, and will encourage the appropriate and orderly development and use of land and buildings in the surrounding area.	Meets	The scale of the site redevelopment to a Restaurant is in keeping with the surrounding properties. The existing structure will be re-used, with a small addition for some restaurant support space. The project design accommodates the required parking as well as the required site infrastructure. Included in the proposal are sidewalk and landscaping improvements to the Islington Street corridor. The developer is working with the abutting property owner to maintain light and air. The location of the patio is consistent with the surrounding development.
2	10.243.22 All necessary public and private utility infrastructure and services will be available and adequate to serve the proposed use.	Meets	The addition of outdoor dining will enhance the experience for the customer while not requiring additional utility services.

	Outdoor Dining Conditional Use Permit 10.243 Requirements	Finding (Meets Criteria/Requirement)	Supporting Information
3	10.243.23 The site and surrounding streets will have adequate vehicular and pedestrian infrastructure to serve the proposed use consistent with the City's Master Plan.	Meets	The adjacent street network is capable of servicing the proposed restaurant. Adding outdoor dining does not require additional infrastructure support.
4	10.243.24 The proposed structures, uses, or activities will not have significant adverse impacts on abutting and surrounding properties on account of traffic, noise, odors, vibrations, dust, fumes, hours of operation, and exterior lighting and glare.	Meets	There would be no change in the essential characteristics of the neighborhood, nor would any public health, safety or welfare be threatened. Adding outdoor dining to the restaurant may add some light and occasional noise impact to the abutting property. The area adjacent to the outdoor dining is used for loading and unloading, which casts light and noise on to the 921 Islington site.
5	10.243.25 The proposed structures and uses will not have significant adverse impacts on natural or scenic resources surrounding the site, including wetlands, floodplains, and significant wildlife habitat.	Meets	The site is urbanized, with no adjacent natural or scenic resources present.
6	10.243.26 The proposed use will not cause or contribute to a significant decline in property values of adjacent properties.	Meets	The re-use of this site from a gas station to a restaurant will have a positive impact on the values of the surrounding properties.
6	<u>Other Board Findings:</u>		
7	<u>Additional Conditions of Approval:</u>		



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PLANNING BOARD

September 24, 2026

Public Service Company of New Hampshire
d.b.a. Eversource Energy
13 Legends Drive
Hooksett, New Hampshire 03106

RE: Wetland Conditional Use Application for easement areas along the E194 Utility Corridor, Portsmouth, NH (LU-26-90)

Dear Owner:

The Planning Board, at its regularly scheduled meeting of **Thursday, September 17, 2026**, considered your application for 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 shown on Assessor 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.

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, *and* 2) to **grant** the Conditional Use Permit as presented.

The Board's decision may be appealed up to thirty (30) days after the vote. Any action taken by the applicant pursuant to the Board's decision during this appeal period shall be at the applicant's risk. Please contact the Planning & Sustainability Department for more details about the appeals process.

Unless otherwise indicated, applicant is responsible for applying for and securing a building permit from the Inspection Department prior to starting any project work. All conditions of approval must be completed prior to issuance of a building permit unless otherwise indicated.

This approval shall expire one year after the date of approval by the Planning Board unless a building permit is issued prior to that date. The Planning Board may grant a one-year extension of a conditional use permit if the applicant submits a written request to the Planning Board prior to the expiration date.

The Findings of Fact associated with this decision are available: attached here or as an attachment in the Viewpoint project record associated with this application and on the Planning Board Meeting website:
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Very truly yours,

Rick Chellman, Chairman of the Planning Board

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

Ashley Nicoletti, Owner Representative, Eversource Energy
Sherrie Trefry, Applicant, VHB

Findings of Fact | Wetland Conditional Use Permit

City of Portsmouth Planning Board

Date: 9-17-26

Property Address: Eversource Pole Replacement

Application #: LU-26-90

Decision: ☐ Approve

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 10.1017.60 (Criteria for Approval) of the Zoning Ordinance.

	Zoning Ordinance Sector 10.1017.60 Criteria for Approval	Finding (Meets Criteria for Approval)	Supporting Information
1	<i>1. The proposed project is in the public interest.</i>	Meets	The project is necessary to maintain existing corridor powerlines with upgraded support poles.
2	<i>2. Design, construction, and maintenance methods will utilize best management practices to minimize any detrimental impact of such use upon the wetland and will include restoration of the site as nearly as possible to its original grade condition and vegetated state. is no alternative location outside the wetland buffer that is feasible and reasonable for the proposed use, activity or alteration.</i>	Meets	The applicant has stated that wooden timber matting will be used to minimize the soil disturbance of wetlands and sensitive areas. Applicant has committed to temporary impacts only and will no longer be utilizing permanent gravel roadways, as previously proposed.

	Zoning Ordinance Sector 10.1017.60 Criteria for Approval	Finding (Meets Criteria for Approval)	Supporting Information
3	<i>3. No alternative feasible route exists which does not cross or alter a wetland or have a less detrimental impact on a wetland.</i>	Meets	The applicant appears to have chosen the routes with the least amount of impact to access the replacement poles.
4	<i>4. Alterations of natural vegetation or managed woodland will occur only to the extent necessary to achieve construction goals</i>	Meets	The majority of vegetation is expected to return to its original configuration after the timber mats are removed.
	<u>Other Board Findings:</u>		



CITY OF PORTSMOUTH

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1 Junkins Avenue
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PLANNING BOARD

September 24, 2026

Tidewatch Condominium Association, c/o CP MANAGEMENT, LLC
11 Court Street Suite 100
Exeter, New Hampshire 03833

RE: After-the-Fact Wetland Conditional Use Permit for property located at 579 Sagamore Avenue, Portsmouth, NH (LU-26-103)

Dear Property Owner:

The Planning Board, at its regularly scheduled meeting of **Thursday, September 17, 2026**, considered your application for 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 shown on Assessor Map 223 Lot 30 and lies within the Single Residence A (SRA) district.

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; *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 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.

The Board's decision may be appealed up to thirty (30) days after the vote. Any action taken by the applicant pursuant to the Board's decision during this appeal period shall be at the applicant's risk. Please contact the Planning & Sustainability Department for more details about the appeals process.

Unless otherwise indicated, applicant is responsible for applying for and securing a building permit from the Inspection Department prior to starting any project work. All conditions of approval must be completed prior to issuance of a building permit unless otherwise indicated.

This approval shall expire one year after the date of approval by the Planning Board unless a building permit is issued prior to that date. The Planning Board may grant a one-year extension of a conditional use permit if the applicant submits a written request to the Planning Board prior to the expiration date.

The Findings of Fact associated with this decision are available: attached here or as an attachment in the Viewpoint project record associated with this application and on the Planning Board Meeting website:
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Very truly yours,

Rick Chellman, Chairman of the Planning Board

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

Thomas DiMatteo, President, Tidewatch Condominium Association
Ania & Kim Rogers, Applicant

Findings of Fact | Wetland Conditional Use Permit

City of Portsmouth Planning Board

Date: September 17, 2026

Property Address: 579 Sagamore Ave.

Application #: LU-26-103

Decision: ☐ Approve

Findings of Fact:

Per RSA 676:3, I: The local land use board shall issue a final written decision which either approves or disapproves an application for a local permit and make a copy of the decision available to the applicant. **The decision shall include specific written findings of fact that support the decision. Failure of the board to make specific written findings of fact supporting a disapproval shall be grounds for automatic reversal and remand by the superior court upon appeal, in accordance with the time periods set forth in RSA 677:5 or RSA 677:15, unless the court determines that there are other factors warranting the disapproval.** If the application is not approved, the board shall provide the applicant with written reasons for the disapproval. If the application is approved with conditions, the board shall include in the written decision a detailed description of all conditions necessary to obtain final approval.

In order to grant Wetland Conditional Use permit approval the Planning Board shall find the application satisfies criteria set forth in the Section 10.1017.50 (Criteria for Approval) of the Zoning Ordinance.

	Zoning Ordinance Sector 10.1017.50 Criteria for Approval	Finding (Meets Criteria for Approval)	Supporting Information
1	<i>1. The land is reasonably suited to the use activity or alteration.</i>	Meets	The applicant has removed a mature tree within the 25' vegetated buffer. This activity is not allowed within this buffer area and the applicant now proposes to remediate their actions through replanting.
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 is for an after-the-fact permit to mitigate the impacts of tree removal in a restricted area. Replanting of native trees and shrubs should occur close to the wetland resource, as is proposed here, in order to strengthen 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	Any time vegetation is removed from within 25' of a wetland edge, the positive impacts of a wetland buffer could diminish. The replanting of this area will help to mitigate the adverse impacts that have occurred.

	Zoning Ordinance Sector 10.1017.50 Criteria for Approval	Finding (Meets Criteria for Approval)	Supporting Information
4	<i>4. Alteration of the natural vegetative state or managed woodland will occur only to the extent necessary to achieve construction goals.</i>	Meets	The natural vegetative state has already been altered. This application proposes necessary mitigation to offset this alteration.
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 proposal is intended to mitigate existing adverse impacts.
6	<i>6. Any area within the vegetated buffer strip will be returned to a natural state to the extent feasible.</i>	Meets	This proposal aims to mitigate the removal of an existing tree within the vegetated buffer strip through replanting.
7	<u>Other Board Findings:</u>		



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PLANNING BOARD

September 24, 2026

Rezma Shrestha & Mark Esposito
224 Cate Street
Portsmouth, New Hampshire 03801

RE: Wetland Conditional Use application for property located at 224 Cate Street, Portsmouth, NH (LU-26-106)

Dear Property Owners:

The Planning Board, at its regularly scheduled meeting of **Thursday, September 17, 2026**, considered your application for 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 shown on Assessor Map 173 Lot 3 and lies within the General Residence A (GRA) district.

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; *and* 2) 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.

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.

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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: 9-17-26

Property Address: 224 Cate St.

Application #: LU-26-106

Decision: ☐ Approve

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 wetland buffer has previously been disturbed and just recently has had an area of the buffer planted for restoration. The applicant has noted how some areas of soil on the property are unhealthy, along with some existing plants, which makes further restoration and careful landscape planning critical to maintaining a healthy wetland buffer.
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	A majority of this property is within the wetland buffer of Hodgson Brook and much of the landscaped area falls within the City's 'no-cut' vegetated buffer which is 40' from the edge of the wetland in this case. This landscaping work should add additional vegetation to this vegetated buffer and further help to stabilize the bank and protect the brook.

	Zoning Ordinance Sector 10.1017.50 Criteria for Approval	Finding (Meets Criteria for Approval)	Supporting Information
3	<i>3. There will be no adverse impact on the wetland functional values of the site or surrounding properties.</i>	Meets	This proposal hopes to increase the functional values of the site through increasing the health of the wetland buffer and soils through replanting and soil remediation work.
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	Alteration of the natural vegetative state will occur through removal of trees, regrading, stormwater upgrades and soil remediation. The applicant is proposing to offset these alterations by introducing new plantings and improving soil health.
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 proposal does include areas of temporary impact from soil disruption and tree removal, but the applicant is proposing to offset those impacts through replanting and improving soil health.
6	<i>6. Any area within the vegetated buffer strip will be returned to a natural state to the extent feasible.</i>	Meets	Applicant is proposing new plantings and spot repairs of existing soil within the 40' vegetated buffer strip. This should enhance the natural state of this buffer.
7	<u>Other Board Findings:</u>		



CITY OF PORTSMOUTH

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

PLANNING BOARD

September 24, 2026

One Twenty Four Group, Inc.
210 Commerce Way, Suite 300
Portsmouth, New Hampshire 09801

RE: Request for WCUP & Amended Site Plan approval for property located at 124 Heritage Avenue, Portsmouth, NH (LU-26-61)

Dear Property Owner:

The Planning Board, at its regularly scheduled meeting of **Thursday, September 17, 2026**, considered your application for a Wetland Conditional Use Permit from Section 10.1017.50 and amended Site Plan approval for minor site improvements including stormwater conveyance modifications, a garden, ADA accessible ramp, parking lot re-striping, lighting, and landscaping. The project proposes an increase of 498 square feet of impervious surface within the wetland buffer area. Said property is shown on Assessor Map 284 Lot 8 and lies within the Industrial (I) District.

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

This matter will be placed on the agenda for the Planning Board meeting scheduled for **Thursday, October 15, 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



CITY OF PORTSMOUTH

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

PLANNING BOARD

September 24, 2026

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

RE: Request for a 1-Year extension to the Conditional Use Co-Living Permit approval for property Located at 1 (15) Congress Street, Portsmouth, NH (LU-22-12)

Dear Mr. McNabb:

The Planning Board, at its meeting of Thursday, September 17, 2026, considered your request for a 1-Year Extension to the Conditional Use Co-Living Permit approval granted on September 18, 2025.

The Board voted to **grant** a one-year extension of the Conditional Use Co-Living Permit approval now to expire on **September 18, 2027**.

The Board's decision may be appealed up to thirty (30) days after the vote. Any action taken by the applicant pursuant to the Board's decision during this appeal period shall be at the applicant's risk. Please contact the Planning & Sustainability Department for more details about the appeals process.

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

Very truly yours,

Rick Chellman, Chairman of the Planning Board

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