

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 ☐ Deny ☐ 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.

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 Does Not Meet	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	Meets Does Not Meet	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
	proposed use.		
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 Does Not Meet	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 Does Not Meet	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 Does Not Meet	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 Does Not Meet	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>		



HALEY WARD

200 Griffin Road, Unit 14, Portsmouth, NH 03801
Phone (603) 430-9282

26 August 2026

Rick Chellman, Planning Board Chair
City of Portsmouth
1 Junkins Avenue
Portsmouth, NH 03801

RE: Request for Outdoor Dining Conditional Use Permit (CUP) Approval at 921 Islington Street, Tax Map 172, Lot 10

Dear Mr. Chellman and Planning Board Members:

On behalf of PWED2, LLC, and Chinburg Development, we are pleased to submit the attached plans and supporting documents for **CUP Outdoor Dining Planning Board Approval** for the above-mentioned project and request that we be placed on the agenda for your **September 17, 2026, Planning Board Meeting**. The project is the reconstruction of the existing structure on the parcel to accommodate a Proposed Restaurant, with the associated and required site improvements. The building footprint will remain unchanged, and an addition added on the back. The project was before the Board on October 16, 2025, at which time the Site Plan and CUP were approved with a slightly different configuration. In the final design process, the applicant desires a different layout for the Outdoor Dining, which is the nature of this request.

We submit that the restaurant will complement the surrounding commercial and mixed-use environment. Its design will blend seamlessly with the existing architecture, and no significant alterations to the building's footprint are proposed, with the exception of added accessory space. Since the applicant is proposing an outdoor seating area, the application requires a Conditional Use Permit from the Planning Board. The Site Plan Application for the initial project was approved; request for administrative approval of the minor changes are in process.

We submit that the CUP Outdoor Dining application conforms to the Portsmouth Ordinance Section 10.243 criteria, subject to Planning Board concurrence. The Ordinance requirements are repeated below with comments in **bold** text, as follows:

Section 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. **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 relocation of the patio is consistent with the surrounding development and moves this element away from the abutting property which will serve to maintain light and air, and eliminate any potential noise impacts.

Section 10.243.22 All necessary public and private utility infrastructure and services will be available and adequate to serve the proposed use. **The project utility services have been reviewed and services needed to accommodate the Restaurant are available. No changes to these services is required with the outdoor patio relocation. The relocation of the outdoor patio will enhance the experience for the customer.**

Section 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. **The adjacent street network is capable of servicing the proposed restaurant. The proposed outdoor dining does not require additional infrastructure support.**

Section 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. **There would be no change in the essential characteristics of the neighborhood, nor would any public health, safety or welfare be threatened. Relocating the approved outdoor dining reduces impact to the abutting property.**

Section 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. **The site is urbanized, with no adjacent natural or scenic resources present.**

Section 10.243.26 The proposed use will not cause or contribute to a significant decline in property values of adjacent properties. **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.**

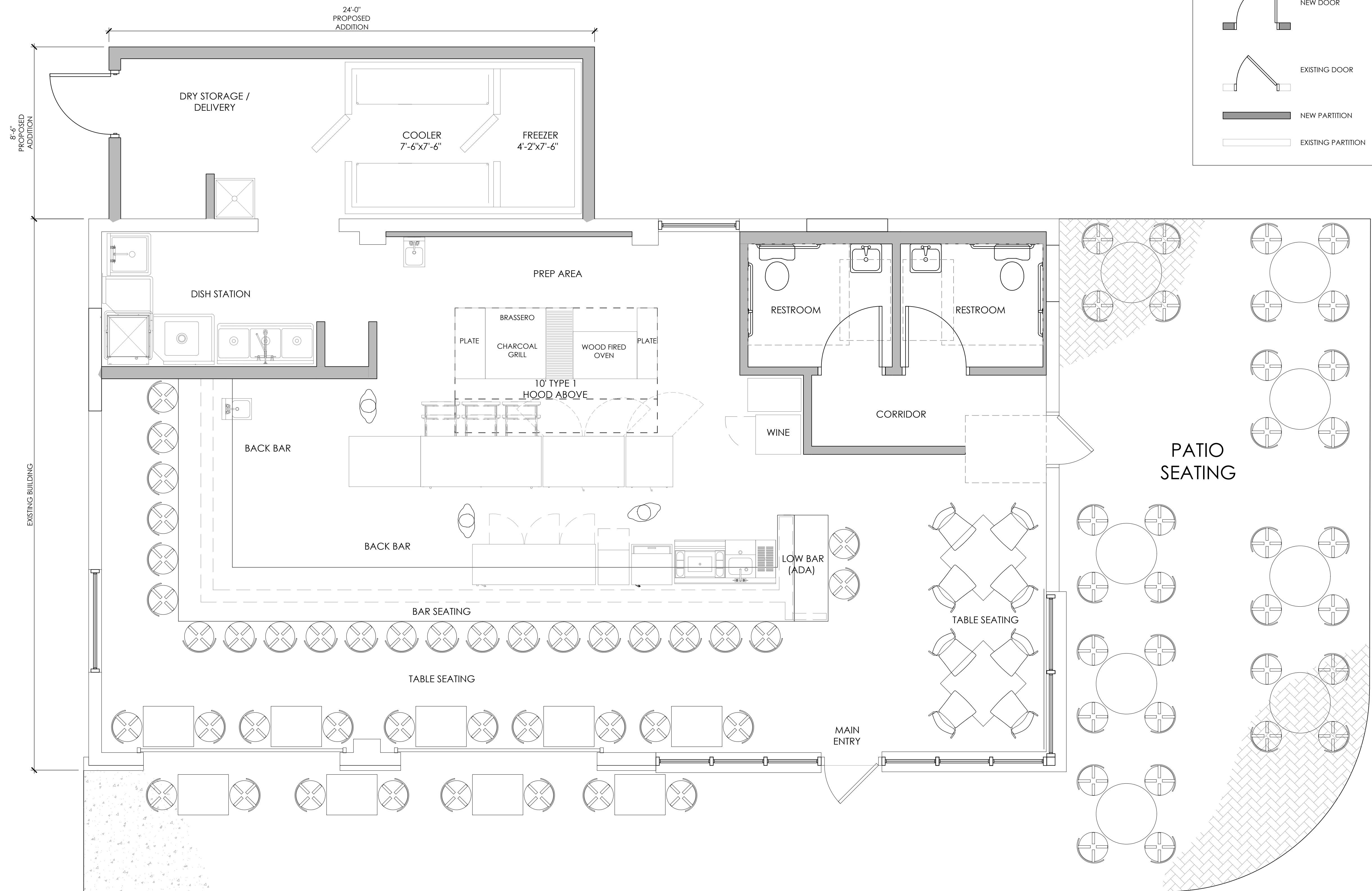
We look forward to an in-person presentation and Planning Board review of this submission, and request that the Conditional Use Permit be granted.

Sincerely,



John Chagnon, PE
Senior Project Manager

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LEGEND:

- NEW DOOR
- EXISTING DOOR
- NEW PARTITION
- EXISTING PARTITION

Owner

PWED2, LLC
3 PENSTOCK WAY
NEWMARKET, NH

Architect:

PORTONE ARCHITECTS

201 Cate St.
Portsmouth, NH 03801
603.436.8891
info@portonearchitects.com
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General Contractor:

CHINBURG

Chinburg Builders
3 Penstock Way
Newmarket, NH

Structural

Seal

REVISION HISTORY

Rev. No.	Description	Date

Project

921 ISLINGTON STREET
PORTSMOUTH, NH

Alterations & Tenant
Fit-out

Phase

SCHEMATIC DESIGN

Project No.

27-071

Date

July 31, 2026

Scale

As Noted

Drawn By:

BG

Reviewed By:

EM

Sheet Contents

GROUND FLOOR
PLAN

Sheet No.

A1.1

1 GROUND FLOOR PLAN
SCALE: 3/8" = 1'-0"