

**PLANNING BOARD  
PORTSMOUTH, NEW HAMPSHIRE**

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

**7:00 PM Public Hearings begin**

**January 16, 2025**

**ACTION SHEET**

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**REGULAR MEETING 7:00pm**

**I. ELECTION OF OFFICERS**

*Motion to elect Rick Chellman as Chair*

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

*Motion to elect Tony Coviello as Vice Chair*

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

**II. APPROVAL OF MINUTES**

**A.** Approval of the December 19, 2024 meeting minutes.

*The December 19, 2024 minutes were approved as presented.*

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

**III. DETERMINATIONS OF COMPLETENESS**

**SITE PLAN REVIEW**

**A.** The request of **One Market Square LLC (Owner)**, for property located at **1, 21 (15) Congress Street** requesting Site Plan Approval to construct an addition onto the previously approved project at 1 Congress Street and re-development of 15 Congress into a mixed-use building with associated site improvements; a Parking Conditional Use Permit from Section 10.1112.14 of the Zoning Ordinance to allow 21 parking spaces where 53 parking spaces are required. Said property is located on Assessor Map 117 Lots 12-15 and lies within the Character District 5 (CDR-5), Historic and Downtown Overlay Districts. (LU-22-12)

The Board voted to determine that Item A is complete according to the Site Plan Review Regulations, (contingent on the granting of any required waivers under Section V of the agenda) and to accept the application for consideration.

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

#### IV. PUBLIC HEARINGS -- OLD BUSINESS

*The Board's action in these matters has been deemed to be quasi-judicial in nature.*

*If any person believes any member of the Board has a conflict of interest, that issue should be raised at this point or it will be deemed waived.*

- A. The request of **635 Sagamore Development LLC (Owner)**, for property located at **635 Sagamore Avenue** requesting Site Plan Review Approval for the demolition of the existing structures and construction of 4 single family dwellings with associated site improvements. Said property is located on Assessor Map 222 Lot 19 and lies within the Single Residence A (SRA) District. (LU-22-209)

*The Board voted to **postpone** the application to the February 20, 2025 meeting and schedule a site walk for February 20<sup>th</sup> at 3 pm.*

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

- B. The request of **Durgin Square LLC (Owner)**, for property located at **1600 Woodbury Avenue** requesting an amended Site Plan Approval for the addition of EV charging stations in the existing parking lot with associated equipment and transformer. Said property is located on Assessor Map 238 Lot 16 and lies within the Gateway Corridor (G1) District. (LU-24-182)

#### Amended Site Plan

*The Board voted 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.*

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

*The Board voted to **grant** Amended Site Plan approval with the following **conditions**, noting that the applicant will not construct the canopies for the EV chargers that are in the plan.*

*2.1) Keep conduit crossing Durgin Lane 15 feet from any trees and protect trees during construction.*

*2.2) A license will be required by both Eversource and the applicant for the new utility pole and conduit in the right of way.*

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

**V. PUBLIC HEARINGS – NEW BUSINESS**

*The Board’s action in these matters has been deemed to be quasi-judicial in nature.  
If any person believes any member of the Board has a conflict of interest,  
that issue should be raised at this point or it will be deemed waived.*

- B.** The request of **Durgin Square LLC (Owner)**, for property located at **1600 Woodbury Avenue** requesting a Conditional Use Permit approval for the addition of EV charging stations in the existing parking lot with associated equipment and transformer. Said property is located on Assessor Map 238 Lot 16 and lies within the Gateway Corridor (G1) District. (LU-24-182)

**EV Fueling Space Conditional Use Permit**

- 1) *The Board voted to find that the Conditional Use Permit Application meets the requirements set forth in Section 10.243 of the Ordinance and adopt the findings of fact as presented.*

**Motion:** B. Moreau; **Second:** A. Samonas

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

**Motion:** B. Moreau; **Second:** A. Samonas

- C.** The request of **One Market Square LLC (Owner)**, for property located at **1, 21 (15) Congress Street** requesting Site Plan Approval to construct an addition onto the previously approved project at 1 Congress Street and re-development of 15 Congress into a mixed-use building with associated site improvements; a Parking Conditional Use Permit from Section 10.1112.14 of the Zoning Ordinance to allow 21 parking spaces where 53 parking spaces are required. Said property is located on Assessor Map 117 Lots 12-15 and lies within the Character District 5 (CDR-5), Historic and Downtown Overlay Districts. (LU-22-12)

**Site Plan Review Approval**

*The Board voted 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.*

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

- 2.) *The Board voted to **grant** Site Plan Approval with the following **conditions** in addition to the original conditions of approval stated in the Letter of Decision dated February 16, 2023:*

- 2.1) *The applicant shall agree to pay for the services of an oversight engineer, to be selected by the City, to monitor the construction of improvements within the public rights-of-way and on site.*

- 2.2) *Later review and approval of all off-site areas including but not limited to Ladd St, High St and Haven Ct planned improvements will be required in a separate reviewing action.*
- 2.3) *The City makes no guarantee on the timeline that the proposed Fleet Street utility improvements will be constructed. The applicant must therefore show the existing utilities in Fleet Street and how any proposed work will be incorporated into the existing Fleet St pipe network. A separate sheet should be provided showing the proposed Fleet Street improvement design and how any new improvements on Haven Ct or the Newberry building will eventually interface.*
- 2.4) *Proposed elevation changes to Haven Ct may affect the foundations, walls etc. of the Hanover Municipal parking garage. Third party review of structures and foundations will be required by the City.*

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

**Parking Conditional Use Permit**

*1) The Board voted to find that the Conditional Use Permit Application meets the requirements set forth in Section 10.1112.14 of the Ordinance and adopt the findings of fact as presented.*

**Motion:** B. Moreau; **Second:** K. Conard

*Original motion was amended below:*

*1) The Board voted to find that the Conditional Use Permit Application meets the requirements set forth in Section 10.1112.14 of the Ordinance and adopt the findings of fact as amended, noting existing trip counts for office at 248 and 36 for residential.*

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

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

**Motion:** B. Moreau; **Second:** K. Conard  
*Motion passed 6 -2 with Members Hewitt and Bowen voting against.*

**VI. CITY COUNCIL REFERRALS**

**A. Zoning Amendments**

*The Board voted to schedule a public hearing on the amendments for February 20, 2025.*

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

**VII. OTHER BUSINESS**

- A. 815 Lafayette Road** – Requesting a 1-Year extension to the Site Plan Review, Development Site and Wetland Conditional Use approvals that were granted on January 18, 2024.

*The Board voted to **grant** a one-year extension to the Planning Board Approval of the Site Plan and Conditional Use permits to **January 18, 2026**.*

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

- B.** Chairman updates and discussion items

Chair Chellman said a workshop was needed to discuss co-living, solar panels, the Hanover Street change, and possibly wetlands on February 27, 2025 at 6 p.m.

- C.** Board discussion of Regulatory Amendments & other matters

*There was no discussion or action taken.*

**VIII. ADJOURNMENT**

*The meeting adjourned at 9:48 p.m.*

Agenda, Planning Board Meeting, January 16, 2025