

**BOARD OF ADJUSTMENT MEETING
PORTSMOUTH, NEW HAMPSHIRE**

Remote Meeting Via Zoom Conference Call

You are required to register to join the meeting over Zoom, a unique meeting ID and password will be provided once you register. Public comments can be emailed in advance to planning@cityofportsmouth.com. For technical assistance, please contact the Planning Department by email (planning@cityofportsmouth.com) or phone (603) 610-7296.

Per NH RSA 91-A:2, III (b) the Chair has declared the COVID-19 outbreak an emergency and has waived the requirement that a quorum be physically present at the meeting pursuant to the Governor's Executive Order 2020-04, Section 8, as extended by Executive Order 2020-5, and Emergency Order #12, Section 3. Members will be participating remotely and will identify their location and any person present with them at that location. All votes will be by roll call.

7:00 P.M.

MAY 19, 2020

ACTION SHEET

MEMBERS PRESENT: Chairman David Rheaume, Vice-Chairman Jeremiah Johnson, Jim Lee, Peter McDonell, Christopher Mulligan, Arthur Parrott, Alternate Phyllis Eldridge, Alternate Chase Hagaman

MEMBERS EXCUSED: John Formella

ALSO PRESENT: Peter Stith, Planning Department

I. APPROVAL OF MINUTES

A) April 21, 2020

The minutes were unanimously approved as amended.

II. PUBLIC HEARINGS – NEW BUSINESS

1) Petition of **Robert Morin III Revocable Trust, Owner**, for property located at **20 Partridge Street** wherein relief is needed from the Zoning Ordinance for installation of a condenser unit which requires the following: A Variance from Section 10.515.14 to allow a 4.5' setback where 10' is required for a mechanical system. Said property is shown on Assessor Map 101 Lot 8 and lies within the General Residence B (GRB) District.

The Board voted to **grant** this request as submitted.

2) Petition of **3201 Lafayette Road, LLC, Owner**, for property located on **Lafayette Road** wherein relief is needed from the Zoning Ordinance to establish a mobile home sales operation on the subject parcel which requires a Special Exception from Section 10.440 Use #11.30 where the use is only permitted by special exception. Appeal of an Administrative Decision of a Code Official in the application of Sections 10.5B83.10 and 10.1113.20 of the Ordinance. If the Appeal is not granted, the Variances necessary to grant the required relief is requested: 1) A Variance from Section 10.5B83.10 and Section 10.1113.20 to allow parking spaces to be located between a principal building and a street. Said property is shown on Assessor Map 291 Lot 8 and lies within the Gateway Neighborhood Corridor (G1) District.

The Board voted to **grant** the Special Exception and the Appeal of the Administrative Decision. Because of that action, it was not necessary to move forward with the variance request.

3) Petition of **Todd & Jan Peters, Owners**, for property located at **379 New Castle Avenue** wherein relief is needed from the Zoning Ordinance for a partial demolition and reconstruction of an existing residence and porch which requires the following: 1) A Variance from Section 10.521 to allow: a) a 6' right side yard where 10' is required; b) 22% building coverage where 20% is the maximum allowed. 2) A Variance from Section 10.321 to allow a nonconforming structure or building to be extended, reconstructed or enlarged without conforming to the requirements of the Ordinance. Said property is shown on Assessor Map 207 Lot 4 and lies within the Single Residence B (SRB) District.

The Board voted to **grant** this request as submitted.

4) Petition of **AER RE, LLC, Owner**, for property located at **185 Cottage Street** wherein relief is needed from the Zoning Ordinance to allow a business office use which requires the following: A Variance from Section 10.440 Use #5.20 to allow a business office use where the use is not permitted. Said property is shown on Assessor Map 174 Lot 14 and lies within the General Residence A (GRA) District.

The Board voted to **grant** this request as submitted.

5) Petition of **GIRI Dover, LLC, Owner**, for property located at **99 Durgin Lane** wherein relief is needed from the Zoning Ordinance for installation of concealed wireless communication facilities which requires the following: A Special Exception from Section 10.923.30 to allow the installation of concealed wireless communication facilities where the use is permitted by Special Exception. Said property is shown on Assessor Map 239 Lot 15 and lies within the Gateway Neighborhood Corridor (G1) District.

The Board voted to **grant** this request as submitted.

6) Petition of **Andrew S. Bridges, Owner**, for property located at **10 Fairview Drive** wherein relief is needed from the Zoning Ordinance for construction of a 10 x 12 shed which requires the following: A Variance from Section 10.573.20 to allow a 3' rear and a 3' side yard

where 8.5' is required for both. Said property is shown on Assessor Map 219 Lot 18 and lies within the Single Residence B (SRB) District.

The Board voted to **grant** this request as submitted.

7) REQUEST TO POSTPONE Petition of the **Donna Pantelakos Revocable Trust, Owner** for property located at **138 Maplewood Avenue** wherein relief is needed from the Zoning Ordinance to create a new dwelling unit by constructing a second floor addition over an existing garage which requires the following; 1) A Variance from Section 10.521 to allow: a) a lot area per dwelling unit of 2,616 where 3,000 is required; and b) a 1' right side yard where 5' is required. 2) A Variance from Section 10.321 to allow a nonconforming structure or building to be extended, reconstructed or enlarged without conforming to the requirements of the Ordinance. Said property is shown on Assessor Map 124 Lot 6 and lies within the Character District 4-L1 (CD4-L1) District. **REQUEST TO POSTPONE**

The Board voted to **postpone** this request to the next BOA meeting.

III. OTHER BUSINESS

None.

IV. ADJOURNMENT

The meeting adjourned at 10:00 pm.