

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

Remote Meeting Via Zoom Conference Call

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 2021-01, 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.

FEBRUARY 16, 2021

ACTION SHEET

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

MEMBERS ABSENT: None

ALSO PRESENT: Peter Stith, Planning Department

I. APPROVAL OF MINUTES

A) Approval of the minutes of the meetings of January 19 and 26, 2021.

Both sets of meeting minutes were approved.

II. OLD BUSINESS

A) Petition of **Karona, LLC, Owner**, for property located at **36 Artwill Avenue** whereas relief is needed from the Zoning Ordinance to convert an existing garage into a Detached Accessory Dwelling Unit which requires the following: 1) A Variance from Section 10.521 to allow 0 feet of street frontage where 100 feet is required. Said property is shown on Assessor Map 229 Lot 4 and lies within the Single Residence B (SRB) District.

The Board voted to **grant** the request as advertised and presented.

III. PUBLIC HEARING – NEW BUSINESS

A) Petition of **Brian Short, LLC, Owner**, and **Alex Vandermark, Applicant**, for property located at **2225 Lafayette Road** whereas relief is needed from the Zoning Ordinance to add a mobile juicery trailer to the property which requires the following: 1) A Special Exception

according to Section 10.440 Use #18.40 where this use is allowed by Special Exception. Said property is shown on Assessor Map 272 Lot 2 and lies within the (G1) District.

The Board voted to **grant** the request as advertised and presented.

B) Petition of **Michael & Cathi Stetson, Owners**, for property located at **406 Lang Road** whereas relief is needed from the Zoning Ordinance for the keeping of chickens which requires the following: 1) A Special Exception from Section 10.440 Use #17.20 to allow the keeping of farm animals where the use is permitted by Special Exception. Said property is shown on Assessor Map 289 Lot 7 and lies within the Single Residence B (SRB) District.

The Board voted to **grant** the request with the following stipulation:

1) That there be no more than eight hens, and no roosters.

C) REQUEST TO POSTPONE Petition of **Andrew & Katy DiPasquale, Owners**, for property located at **80 Fields Road** whereas relief is needed from the Zoning Ordinance to remove an existing shed and construct a new 117 square foot shed on a 12' x 15' platform which requires the following: 1) A Variance from Section 10.521 to allow a) a 3 foot rear yard where 9 feet is required; and b) a 3 foot left side yard where 9 feet is required. 2) A Variance from Section 10.321 to allow a nonconforming building or structure to be extended, reconstructed or enlarged without conforming to the requirements of the Ordinance. Said property is shown on Assessor Map 171 Lot 8 and lies within the Single Residence B (SRB) District. **REQUEST TO POSTPONE**

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

D) Petition of **Blair Rowlett & Carolina Hoell, Owners**, for property located at **53 Decatur Road** whereas relief is needed from the Zoning Ordinance for the keeping of chickens which requires the following: 1) A Special Exception from Section 10.440 Use #17.20 to allow the keeping of farm animals where the use is permitted by Special Exception. Said property is shown on Assessor Map 260 Lot 101 and lies within the Single Residence B (SRB) District.

The Board voted to **grant** the request with the following stipulation:

1) That there be no more than six hens, and no roosters.

E) Petition of **Melissa Williamson, Owner**, for property located at **295 Thornton Street** whereas relief is needed from the Zoning Ordinance to construct a two-story addition which requires the following: 1) A Variance from Section 10.521 to allow a 5 foot front yard where 15 feet is required. 2) A Variance from Section 10.321 to allow a nonconforming building or structure to be extended, reconstructed or enlarged without conforming to the requirements of the Ordinance. Said property is shown on Assessor Map 162 Lot 4 and lies within the General Residence A (GRA) District.

The Board accepted **withdrawal** of this request.

F) Petition of **SAI Builders, LLC, Owner**, for property located at **27 Elwyn Avenue** whereas relief is needed from the Zoning Ordinance to install an AC condensing unit which requires the following: 1) A Variance from Section 10.521 to allow an 8 foot right side yard where 10 feet is required. Said property is shown on Assessor Map 113 Lot 28-1 and lies within the General Residence A (GRA) District.

The Board voted to **grant** this request as advertised and presented.

G) **REQUEST TO POSTPONE** Petition of the **Elizabeth Larson Trust of 2012, Owner**, for property located at **668 Middle Street (off Chevrolet Avenue)** whereas relief is needed from the Zoning Ordinance to subdivide one lot into two lots and construct 4, 2-family structures on proposed Lot 2 which requires the following: 1) A Variance from Section 10.513 to allow 5 free-standing dwellings on a lot where only one is permitted. 2) A Variance from Section 10.521 to allow a lot area per dwelling unit of 4,517 square feet where 7,500 square feet per dwelling unit is required. Said property is shown on Assessor Map 147 Lot 18 and lies within the General Residence A (GRA) District. **REQUEST TO POSTPONE**

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

H) Petition of **Gregory & Amanda Morneault, Owners**, for property located at **137 Northwest Street** whereas relief is needed from the Zoning Ordinance to subdivide one lot into two lots and construct a new single family dwelling which requires the following: 1) Variances from Section 10.521 to allow: a) a lot depth of 44.7 feet for Lot 1 and 25.4 feet for Lot 2 where 70 feet is required for each; b) a 3 foot front yard where 15 feet is required; and c) a 6.5 foot rear yard where 20 feet is required. Said property is shown on Assessor Map 122 Lot 2 and lies within the General Residence A (GRA) District.

The Board voted to **grant** this request as advertised and presented.

I) Petition of **CLJR, LLC, Owner**, for property located at **6 Robert Avenue** whereas relief is needed from the Zoning Ordinance allow a martial arts studio which requires the following: 1) A Special Exception from Section 10.440 Use #4.42 to allow a martial arts studio with more than 2,000 square feet gross floor area where the use is permitted by Special Exception. Said property is shown on Assessor Map 286 Lot 17 and lies within the (G1) District.

The Board voted to **grant** this request as advertised and presented.

IV. OTHER BUSINESS

There was no other business for discussion.

V. ADJOURNMENT

The meeting adjourned at 10:17 pm.

