

**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 2021-06, 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 25, 2021

ACTION SHEET

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

MEMBERS EXCUSED: David MacDonald

ALSO PRESENT: Peter Stith, Planning Department

AGENDA

I. PUBLIC HEARINGS – NEW BUSINESS

- A) Petition of **Daniel Marino, Owner**, for property located at **114 Pine Street** whereas relief was needed from the Zoning Ordinance to demolish the existing garage and construct two-story addition with one car garage which requires the following: 1) Variances from Section 10.521 to allow: a) an 8.5' right side yard where 10' is required; and b) a 6' front yard where 15' 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 28 and lies within the General Residence A (GRA) District.

DECISION OF THE BOARD

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

- B) Petition of **Susan Alex Living Trust, Owner**, for property located at **50 Mt. Vernon Street** whereas relief was needed from the Zoning Ordinance to add dormers to the existing garage and create accessory dwelling unit on the second floor which requires the following: 1) Variances from Section 10.521 to allow a) a 7' left side yard where 10' is required; and

b) a 5.5' rear yard where 25' is the minimum 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 111 Lot 29 and lies within the General Residence B (GRB) District.

DECISION OF THE BOARD

The Board voted to **grant** the request as presented and advertised with the following stipulation:

1) The condenser can be located within the 5-1/2 foot rear yard setback.

C) Petition of **Katrina Carye, Owner**, for property located at **83 Richards Avenue** whereas relief was needed from the Zoning Ordinance to add a 6' x 7' free-standing sauna which requires the following: 1) A Variance from Section 10.521 to allow 35% building coverage where 25% is the maximum allowed. Said property is shown on Assessor Map 128 Lot 7 and lies within the General Residence A (GRA) District.

DECISION OF THE BOARD

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

D) Petition of **KWA LLC, Owner**, for property located at **165 Court Street** whereas relief was needed from the Zoning Ordinance to install signage which requires the following: 1) A Variance from Section 10.1251.10 to exceed the maximum allowed aggregate sign area. 2) A Variance from Section 10.1251.20 to allow a 140 square foot wall sign where 40 square feet is the maximum. 3) A Variance from Section 10.1242 to allow more than one wall sign above the ground floor. 4) A Variance from Section 10.1271 to allow signs on a side of a building that does not face a street or have a public entrance. Said property is shown on Assessor Map 116 Lot 27 and lies within the Character District 4 (CD4).

DECISION OF THE BOARD

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

E) Petition of **Deaglan K. McEachern and Lori McEachern, Owners**, for property located at **230 Thornton Street** whereas relief was needed from the Zoning Ordinance to add new deck and screened porch and replace roof on front porch and bump out which requires the following: 1) Variances from Section 10.521 to allow a) 4.5' front yard where 15' is required; b) a 3.5' secondary front yard where 15' is required; and c) 31.5% building coverage where 25% is the maximum allowed. 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 161 Lot 8 and lies within the General Residence A (GRA) District.

DECISION OF THE BOARD

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

- F) Petition of **Todd E. Hedges Revocable Trust, Owner**, for property located at **139 Cass Street** whereas relief was needed from the Zoning Ordinance to construct a two-car garage with apartment above which requires the following: 1) A Variance from Section 10.521 to allow a 10' rear yard where 20' is required. Said property is shown on Assessor Map 146 Lot 6 and lies within the General Residence C (GRC) District.

DECISION OF THE BOARD

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

- G) **REQUEST TO POSTPONE** Petition of **Naveesha Hospitality, LLC, Owner**, for property located at **3548 Lafayette Rd** whereas relief is needed from the Zoning Ordinance for redevelopment of the property which includes demolishing some buildings and constructing 2 new multi-family structures which requires the following: 1) A Variance from Section 10.5B53.10 to allow new buildings to be constructed on a lot with existing non-conforming buildings, to be outside of the minimum and maximum front building setback if the 50% front lot line buildout has not been met. 2) A Variance from Section 10.5B22.40 to allow buildings to be constructed outside of the special setback from Lafayette Road which requires a 70' minimum and 90' maximum setback from the centerline of Lafayette Road. Said property is shown on Assessor Map 297 Lot 6 and lies within the Gateway Neighborhood Mixed Use Corridor (G1) District.

The Board voted to **postpone** the request.

The Board voted to **suspend** the 10:00 rule and **extend** the meeting.

- H) Petition of **Troy Allan Blanchard and Colleen Elizabeth Blanchard, Owners**, for property located at **205 Broad Street** whereas relief was needed from the Zoning Ordinance to enclose an existing porch and add dormers which requires the following: 1) Variances from Section 10.521 to allow a) a 5' primary front yard where 15 feet is required; and b) a 0' secondary front yard where 15 feet is required. 2) 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 130 Lot 16 and lies within the General Residence A (GRA) District.

DECISION OF THE BOARD

The Board voted to **grant** the request as presented and advertised with the following stipulation:

- 1) That the current building coverage be recognized as 35-1/2 percent, based on the survey.

II. OTHER BUSINESS

Chairman Rheaume said the meetings might be held in the Chambers starting in June. Mr. Stith said more information would be forthcoming.

III. ADJOURNMENT

The meeting was adjourned at 10:33 p.m.