

**BOARD OF ADJUSTMENT MEETING
PORTSMOUTH, NEW HAMPSHIRE
EILEEN DONDERO FOLEY COUNCIL CHAMBERS**

7:00 P.M.

January 18, 2022

ACTION SHEET

MEMBERS PRESENT: Chairman David Rheaume, Vice-Chairman Peter McDonell, Christopher Mulligan, Arthur Parrott, David MacDonald, Beth Margeson, Alternate Chase Hagaman, Alternate Phyllis Eldridge

MEMBERS EXCUSED: Jim Lee

ALSO PRESENT: Peter Stith, Planning Department

I. APPROVAL OF MINUTES

A) Approval of the minutes of the meeting of December 21, 2021.

The minutes of the December 21, 2021 meeting were approved as presented.

II. OLD BUSINESS

A) **132 & 134 Middle Street LLC and MAC Properties (Owners)**, for the Properties located at **132 and 134 Middle Street** request a one-year extension on variances granted on February 19, 2020. The current expiration is February 19, 2022. Said properties are shown on Assessor Map 172 Lot 12 and Map 127 Lot 11 and lie within the Character District 4-L1 (CD4-L1).

*The Board voted to **grant** the request for a one-year extension.*

B) Request for Reconsideration of Rehearing for **53 Green Street**

*The Board voted to **deny** the request to reconsider the granting of the rehearing.*

C) **WITHDRAWN** Request of **Artwill, LLC, (Owner)**, for the property located at **437 Lafayette Road** whereas relief is needed from the Zoning Ordinance for a proposed four (4) lot subdivision which requires the following: 1) Variances from Section 10.521 to allow a) 60.6' of continuous street frontage where 100' is required for proposed Lot 3; and

b) 67.2' of continuous street frontage where 100' is required for proposed Lot 4, and c) A Variance from Section 10.521 to allow a 29.5' front yard where 30' is required. Said property is shown on Assessor Map 229 Lot 1 and lies within the Single Residence B (SRB) District. **WITHDRAWN** (LU-21-196)

The Board voted to acknowledge the withdrawal of the request.

III. NEW BUSINESS

A) REQUEST TO POSTPONE Rehearing of the **Appeal of Duncan MacCallum, (Attorney for the Appellants)**, of the July 15, 2021 decision of the Planning Board for property located at **53 Green Street** which granted the following: a) a wetlands conditional use permit under Section 10.1017 of the Zoning Ordinance; b) preliminary and final subdivision approval; and c) site plan review approval. Said property is shown on Assessor Map 119 Lot 2 and lies within the Character District 5 (CD5) and Character District 4 (CD4). **REQUEST TO POSTPONE** (LU-21-162)

*The Board voted to **grant** the request to postpone the rehearing to the February meeting.*

B) Request of Camellie Development LLC (Owner), for the property located at **232 Wibird Street** whereas relief is needed to demolish existing detached garage and construct two-story rear addition with attached garage which requires the following: 1) A Variance from Section 10.521 to allow a 6 foot right side yard where 10 feet is required. 2) A Variance from Section 10.321 to allow a nonconforming building or structure be extended, reconstructed or enlarged without conforming to the requirements of the Ordinance. Said property is shown on Assessor Map 149 Lot 14 and lies in the General Residence A (GRA) District. (LU-21-218)

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

C) Request of Sherbeth Young and Joseph Dibella (Owners), for the property located **0 Woodbury Avenue** whereas relief is needed from the Zoning ordinance to construct a single-family home which requires the following: 1) Variances from Section 10.521 to allow a) a lot are of 7,436 where 15,000 is required; b) a lot area per dwelling unit of 7,436 where 15,000 square feet is required; and c) 60' of continuous street frontage where 100 feet is required. Said property is shown on Assessor Map 220 Lot 16-1 and lies within the Single Residence B (SRB) district. (LU-21-219)

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

D) REQUEST TO POSTPONE Request of **Evan C. Maloney and Jill Maloney (Owners), and Duncan McCallum (Applicant)**, for the property located at **389 Lincoln Avenue** requesting an equitable waiver or variance for approval of a previously constructed tree house which requires the following: 1) A Variance or Equitable Waiver from Section 10.521 to allow a) a 0 foot rear yard where 8 feet is required; and b) a 5' left side yard where 8 feet is required. Said property is shown on Assessor Map 135 Lot 17 and lies within the General Residence A (GRA) District. **REQUEST TO POSTPONE (LU-21-221)**

*The Board voted to **grant** the request to postpone to the February meeting.*

IV. OTHER BUSINESS

There was no other business.

V. ADJOURNMENT

The meeting was adjourned at 8:55 p.m.