

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

7:00 P.M.

February 23, 2022

ACTION SHEET

MEMBERS PRESENT: Chairman Arthur Parrott, Chairman, Jim Lee, Vice Chair, David MacDonald, Beth Margeson, Thomas Rossi, Paul Mannle, Phyllis Eldridge, Alternate

MEMBERS EXCUSED:

ALSO PRESENT: Peter Stith, Planning Department

I. NEW BUSINESS

- A) The request of **230 Commerce Way LLC (Owner)**, for the property located at **230 Commerce Way** whereas relief is needed to construct a new Veterinary care building which requires the following: 1) A Special Exception from Section 10.440 Use #7.50 to allow a Veterinary Care use in a district where it is allowed by Special Exception. Said property is shown on Assessor Map 216 Lot 5 and lies within the Office Research (OR) district. (LU-22-14)

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

- B) The request of **HCA Realty (Owner)**, for the property located at **0 Borthwick Avenue** whereas relief is needed to construct a remote parking area for hospital use which requires the following: 1) A Variance from Section 10.113.41 to allow a 35 foot front setback for a parking lot where 50 feet is required. 2) A Special Exception from Section 10.1113.112 to allow a parking lot on another lot in the same ownership as the lot in question within 300 feet of the property line of the lot in question. Said property is shown on Assessor Map 234 Lot 7-4A and lies within the Office Research (OR) District. (LU-22-15)

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

- C) **REQUEST TO POSTPONE** The request of **One Market Square LLC (Owner)**, for the property located at **1 Congress Street** whereas relief is needed to construct a 3 story addition with a short 4th story and building height of 44'-11" which requires the following: 1) A Variance from Section 10.5A.43.31 and Map 10.5A21B to allow a 3-

story addition with a short 4th and building height of 44'-11" where 2 stories (short 3rd) and 35' is the maximum allowed. Said property is shown on Assessor Map 117 Lot 14 and lies within the Character District 5 (CD-5). **REQUEST TO POSTPONE** (LU-22-12)

*The Board voted to **postpone** to the March meeting.*

- D) The request of **Theodore M. Stiles (Owner)**, for the property located at **28 South Street** whereas relief is needed to add two rear additions to the existing dwelling which requires the following: 1) Variances from Section 10.521 to allow a) 30.5% building coverage where 30% is the maximum allowed; and b) a 5' left side yard where 10' 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 102 Lot 43 and lies within the General Residence B (GRB) district. (LU-22-8)

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

- E) **REQUEST TO POSPONE** The appeal of **Duncan McCallum (Attorney for Appellants)**, of the December 16, 2021 decision of the Planning Board for property located at **31 Raynes Avenue, 203 Maplewood Avenue, and 1 Raynes Avenue** which granted the following: a) site plan approval b) wetlands conditional use permit; and c) certain other, miscellaneous approvals, including an approval related to valet parking. Said properties are shown on Assessor Map 123 Lot 14, Map 123 Lot 13, Map 123 Lot 12, Map 123 Lot 10 and lie within the Character District 4 (CD4) District, Downtown Overlay District (DOD), Historic District, and the North End Incentive Overlay District. **REQUEST TO POSPONE** (LU-21-54)

*The Board voted to **postpone** to the March meeting.*

II. OTHER BUSINESS

III. ADJOURNMENT

The meeting was adjourned at 8:30 p.m.