

**BOARD OF ADJUSTMENT MEETING  
EILEEN DONDERO FOLEY COUNCIL CHAMBERS  
MUNICIPAL COMPLEX, 1 JUNKINS AVENUE  
PORTSMOUTH, NEW HAMPSHIRE**

**7:00 P.M.**

**February 28, 2023**

**ACTION SHEET**

**MEMBERS PRESENT:** Phyllis Eldridge, Chair; Paul Mannle; Thomas Rossi; David MacDonald; Jeffrey Mattson, Alternate

**MEMBERS EXCUSED:** Beth Margeson, Vice Chair; David Rheume

**ALSO PRESENT:** Stefanie Casella, Planning Department

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**I. APPROVAL OF MINUTES**

**A.** Approval of the February 22, 2023 meeting minutes.

*The Board voted to **approve** the February 22, 2023 meeting minutes as amended.*

*Motion: T. Rossi, P. Mannle. Motion passed all in favor.*

**II. NEW BUSINESS**

**E. REQUEST TO POSTPONE DUE TO IMPROPER NOTICE** The request of **The Griffin Family Corporation (Owners), and LoveWell Veterinary Services, LLC (Applicant)**, for property located at **800 Islington Street Unit 1B** whereas relief is needed to allow a veterinary clinic which requires the following: 1) Special Exception from Section 10.440, Use #7.50 to allow a veterinary clinic where the use is permitted by Special Exception. Said property is located on Assessor Map 154 Lot 1 and lies within the Character District 4-W (CD4W) District. (LU-23-8) **REQUEST TO POSTPONE DUE TO IMPROPER NOTICE**

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

*Motion: P. Mannle, D. MacDonald. Motion passed all in favor.*

- F.** The request of **Cate Street Development LLC (Owner)**, and **Rarebreed Veterinary Partners (Applicant)**, for property located at **350 US Route 1 Bypass** whereas relief is needed to allow an urgent care veterinary clinic which requires the following: 1) Special Exception from Section 10.440, Use #7.50 to allow a veterinary clinic where the use is permitted by Special Exception. Said property is located on Assessor Map 172 Lot 2 and lies within the Gateway Corridor (G1) and Transportation Corridor (TC) District. (LU-23-9)

*The Board voted to **approve** the special exception as presented and advertised.*

*Motion: T. Rossi, P. Mannle. Motion passed all in favor.*

- G.** The request of **Aviation Avenue Group, LLC (Applicant)**, and **Pease Development Authority (Owners)**, for property located at **80 Rochester Avenue** whereas relief is needed for the construction of an advanced manufacturing facility which requires the following: 1) Variance from Article 304.03 (e) to allow a 28 foot rear yard where 50 feet is required. Said property is located on Assessor Map 308 Lot 1 and lies within the Pease Industrial District (PI). (LU-22-210)

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

*Motion: P. Mannle, J. Mattson. Motion passed all in favor.*

- H.** The request of **Andrea Hurwitz (Srebnik) (Owner)**, for property located at **129 Aldrich Road** whereas relief is needed for the installation of a mechanical unit which requires the following: 1) Variance from Section 10.515.14 to allow a 4 foot side yard where 10 feet is required. Said property is located on Assessor Map 153 Lot 35 and lies within the Single Residence B (SRB) District. (LU-23-10)

*The Board voted to **approve** the application with the following **condition**:*

*1) The mechanical unit is located according to the updated plan presented to the Board at the February 28, 2023 meeting which positions the unit 5 feet from the left yard setback instead of 4 feet as advertised.*

*Motion: J. Mattson, D. MacDonald. Motion passed all in favor.*

- I.** The request of the **RTM Trust and Ryan T Mullen and Heidi E K Trustees (Owners)**, for property located at **253 Odiorne Point Road** whereas relief is needed for the installation of a mechanical unit which requires the following: 1) Variance from Section 10.515.14 to allow the mechanical unit to be located closer to a street than the principal structure. Said property is located on Assessor Map 224 Lot 10-19 and lies within the Single Residence A (SRA) District. (LU-23-11)

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

*Motion: P. Mannle, J. Mattson. Motion passed all in favor.*

- J.** The request of the **Black Heritage Trail of New Hampshire (Owner)**, for property located at **222 Court Street** whereas relief is needed to install one 24 by 28 foot mural and one 3 by 2 foot sign which requires the following: 1) Variance from Section 10.1251.10 to allow max aggregate sign area of 686 square feet where 36 square feet is allowed; 2) Variance from Section 10.1251.20 to allow max area for individual sign of 678 where 16 square feet is allowed; and 3) Variance from Section 10.1242 to allow more than one sign on building facing the street; and 4) Variance from Section 10.1271 to allow a sign on the side of the building that is not facing a street. Said property is located on Assessor Map 116 Lot 33 and lies within the Character District 4-L1 (CD4-L1) and Historic District. (LU-23-12)

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

*1) The sign is an artistic image only featuring Ona Judge and will not be altered for any other purpose.*

*Motion: T. Rossi, P. Mannle. Motion passed all in favor.*

### **III. OTHER BUSINESS**

*There was no other business.*

### **IV. ADJOURNMENT**

*The meeting adjourned at 8:33 p.m.*