

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

**7:00 P.M.**

**September 17, 2024**

**MEMBERS PRESENT:** Phyllis Eldridge, Chair; Beth Margeson, Vice Chair; David Rheume; Thomas Rossi; Paul Mannle; Jeffrey Mattson; Thomas Nies; Jody Record, Alternate

**MEMBERS EXCUSED:** None.

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

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Chair Eldridge called the meeting to order at 7:00 p.m.

**I. APPROVAL OF MINUTES**

**A. Approval of the August 20, 2024 meeting minutes.**

Mr. Nies asked that the word ‘the’ in the following sentence on page 7 be changed to ‘an’ so that the sentence now reads as follows: He noted that *an* earlier proposal that was withdrawn included a traffic study and had hoped that the Board could discuss it. Mr. Rheume asked that the following sentence on page 8 have the phrase ‘triggers a special exception’ at the end of the sentence removed and replaced by the phrase ‘could not meet the criteria for the special exception’ so that the sentence now reads: He said he was irritated that the applicant wasn’t better prepared by providing the information the Board needed, but he did not think it was fair to deny the special exception on the assumption that the traffic is such a magnitude that it *could not meet the criteria for the special exception*.

*Mr. Rheume moved to **approve** the August 20 minutes as amended, seconded by Mr. Nies. The motion **passed** unanimously, 7-0.*

**II. OLD BUSINESS**

- A.** The request of **Jared Majcher (Owner)**, for property located at **84 Thaxter Road** whereas relief is needed to construct an attached garage and 1.5-story addition and to demolish an existing detached garage which requires the following: 1) Variance from Section 10.521 to a) allow 22% building coverage where 20% is allowed; b) allow a 15.5 foot front setback where 30 feet is required; and 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 located on Assessor Map 166 Lot 34 and lies within the Single Residence B (SRB) District. (LU-24-135)

### **SPEAKING TO THE PETITION**

[Timestamp 6:40] Attorney Derek Durbin was present on behalf of the applicant to review the petition. He said a 1-1/2 story addition was proposed to accommodate a single car garage with living space above. He said a small porch area on the front of the home was also proposed. He said the owner wanted to demolish the nonconforming garage at the rear of the home to bring the property more in compliance with the setbacks. He noted that the immediate abutter and other neighbors supported the project. He addressed the criteria and said they would be met.

[Timestamp 16:18] Mr. Rheume said Attorney Durbin talked about the need for the two percent over the coverage but did not talk much about the front setback. He said a substantial portion of the garage and the new extension of the hall area would also fall within the front setback. He asked if there was any consideration given to looking at the averaging of the neighboring properties. Attorney Durbin said they did consider it but did not like relying on the MapGeo because it often meant relying on non-surveyed data. He said it was very close and if averaged, the front setback would be in line with where the home is and the addition. He said the front setback was in line with the other homes along the street and they would not be encroaching into the pedestrian right-of-way in any meaningful way. He said if the averaging were used, they would be very close to compliant if not compliant, but the major consideration was that it would not affect the light, air, and space of the abutters. He said the left side of the addition was designed to stay in line with the home, and the front porch addition was a way to tie in with the stairs, but the stairs would be replaced, so the request was for the 15-1/2' relief. Mr. Rheume said the open space calculation in the packet did not match the Staff Report. The applicant's father Mark Majcher spoke said when he calculated the open space, he wasn't sure if the driveway should be included. He said that was the reason for two different calculations and that the correct calculation was 73 percent and not 83 percent.

Chair Eldridge opened the public hearing.

### **SPEAKING TO, FOR, OR AGAINST THE PETITION**

No one spoke, and Chair Eldridge closed the public hearing.

### **DECISION OF THE BOARD**

*Mr. Mattson moved to **grant** the variances for the petition as presented and advertised, seconded by Mr. Mannle.*

[Timestamp 22:45] Mr. Mattson said granting the variances would not be contrary to the public interest and the spirit of the ordinance would be observed. He said the proposed addition and front porch were within the character of the neighborhood and would not create any issues with public safety. He said substantial justice would be done because there was nothing to suggest that the

addition would harm the general public. He said it would benefit the property owner by allowing him to make better use of his property, so the benefit to the applicant would not be outweighed by any harm to the general public. He said granting the variances would not diminish the values of surrounding properties, noting that there was no reason to suggest that improving and updating the property would diminish any surrounding property values. He said literal enforcement of the ordinance would result in unnecessary hardship due to the special conditions of the property that distinguish it from others in the area, and there is no fair and substantial relationship between the general purposes of the ordinance provision and the specific application of that provision to this property. He said the proposed use is a reasonable one because it would still be a single-family home and the hardship is that the undersized lot was created before modern zoning standards, so the home itself is located closer to the street than the current required setback and the addition would bring it no closer to the street. He said it was a minor request for relief that stemmed from the lot being so small. Mr. Mannle concurred and said it was typical for those neighborhoods where the zoning is greater than what the actual reality on the ground is. He said in this case, the lot size was half of what the typical SRB lot was, and the building coverage requested was another 100 square feet, which was very small. He said the design would fit and would not be noticeable.

*The motion passed unanimously, 7-0.*

- B.** The request of **Zeng Kevin Shitan Revocable Trust of 2017 (Owner)**, for property located at **377 Maplewood Avenue** whereas relief is needed to demolish the existing accessory building and construct a new detached accessory dwelling unit which requires the following: 1) Variance from Section 10.521 to a) allow a building coverage of 37.5% where 25% is allowed; b) allow an open space of 24.5% where 30% is required; c) allow a secondary front yard setback of 6 feet where 10 feet is required; d) allow a left yard setback of 4.5 feet where 10 feet is required; e) allow a rear yard setback of 3 feet where 20 feet is required; and 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 located on Assessor Map 141 Lot 22 and lies within the General Residence A (GRA) and Historic Districts. (LU-24-133)

## **SPEAKING TO THE PETITION**

[Timestamp 27:46] The Board discussed whether the issue of Fisher v. Dover applied, due to the fact that the petition was previously presented and denied, and they decided that it did not because it was substantially changed.

[Timestamp 31:22] Attorney Derek Durbin was present on behalf of the applicant to review the petition. The project designer Brendan McNamara was present via Zoom, and surveyor Jason Cook of T. F. Moran and the owner/applicant Zeng Kevin Shitan were also present. Attorney Durbin said the building that was previously proposed had a footprint of just over 1,600 square feet, but the present petition was for a footprint of 1,104 square feet. He said the existing accessory building was in disrepair and that they wanted to replace it with a carriage house-style ADU with a smaller footprint for the applicant's mother to reside in. He said the parking situation would improve

because the vehicles would not have to be backed out in the public right-of-way. He said the design was supported by the Historic District Commission and that the applicant would go before the Planning Board for a Conditional Use Permit if he received the variances. He reviewed the criteria and said they would be met. Mr. McNamara said the design was directed toward meeting the requirements of the ADU ordinance and seemed like a natural fit.

[Timestamp 45:08] Mr. Rheume said the packet noted that the property was uniquely burdened by two 15-ft front yard setbacks as opposed to one 15-ft front yard setback and two 10-ft side yard setbacks. He said the Staff Memo showed a 10-ft secondary front setback, and what was advertised also referenced the 10-ft setback and not the 15-ft front setback. Ms. Casella asked Attorney Durbin if he knew whether Jackson Hill Street was a public way. Attorney Durbin said it was looked into several years ago and no evidence was found that it was accepted at a public hearing. He said it had been maintained as a public street, so there was an implied acceptance by the City that it exists, and he was advised in 2020 to treat it as a secondary front yard setback. Mr. Rheume said the original application showed a 10-ft side setback and the current application showed a 10-ft side yard setback. He said it didn't have a dimension but was the same dimensional line and less than the 15 feet for the front setback. Attorney Durbin said that would be a more stringent requirement, assuming that it was 15 feet. He said if that argument was thrown out as a special condition, the applicant was still improving upon that setback. He said the point was that there were nonconformities that the applicant could not get around, and if they tried to put it in compliance with all the applicable setbacks, they were limited to not a lot of room. Mr. Rheume said the drawings showed that the building footprint of the proposed ADU was 1,104 square feet. He said the applicant had to go before the Planning Board for a Conditional Use Permit, but he noted that the zoning ordinance said the building footprint of a building for a detached ADU should be no greater than 750 square feet. He asked Attorney Durbin to explain that discrepancy. Attorney Durbin said if they were successful in receiving the variances, they would need a modification related to the garage. Mr. Rheume asked if there was a firewall between the two structures. Mr. McNamara said it was required that there be a 1-hour fire-rated wall as per any residential house and garage but that they had not reviewed in in terms of that overall floor issue.

[Timestamp 50:35] Mr. Nies referenced the question about the building footprint and said the packet indicated that the applicant was requesting a variance to allow a detached ADU in a new building that does not conform with the dimensional requirements of the ordinance. He said it sounded like the applicant was asking for a variance on the building's footprint size but it was unclear. Attorney Durbin said that paragraph existed when he submitted the application, but the City Staff determined that the proper mechanism for that would be a modification with a Conditional Use Permit from the Planning Board. He said that issue was raised after the petition submission, so it was a carry-through in the narrative, but there was no relief required for that because it was just related to building coverage. He said the applicant was not asking for a variance from the building footprint. Mr. Nies confirmed that the applicant would tear down the existing building and replace it with the proposed one.

[Timestamp 52:38] Mr. Rheume asked if the issue of allowing a detached ADU to a new building that did not conform with dimensional requirements of the ordinance was from a Staff standpoint or related to the fact that the applicant requires setback relief. Attorney Durbin said he included it

originally in an abundance of caution because he thought a variance might be needed for it, but the Planning Manager had said that it did not require a variance, so he was going to remove it. Mr. Mattson confirmed that the ordinance did mention the building footprint size, so it was true that it was relative to the ordinance, but it was under the section for a Conditional Use Permit modification that can be asked for from the Planning Board, so it was not a variance for the building footprint.

[Timestamp 54:15] Vice-Chair Margeson said she realized that the building footprint is a modification that the Planning Board does, but if it were a smaller building, the applicant would not need as much relief from the setback requirements. Attorney Durbin agreed and said the garage could be lopped off but it wouldn't make sense to do it when that area would be used for parking and storage. Mr. Nies asked Mr. Mattson for more detail on his comment, and it was further discussed. Mr. Nies said the packet stated that the attached ADU would only have a bedroom and bath, but the drawing showed a kitchen and family room. Attorney Durbin agreed and said it would have that space associated with the living space. Mr. Mannle asked what the ADU's building footprint was. Attorney Durbin said the ADU itself, apart from the garage, was within the 750 square feet and that the garage brought it to 1,104 square feet. Mr. Nies said the building footprint is not the same as the floor area or the living area because it is measured on the outside, so it is over the 750 square feet. Mr. McNamara said the building footprint is associated with the ADU that operates on the gross living room, which is the interior wall measurement, but the exterior wall measurement is just under 750 square feet.

Chair Eldridge opened the public hearing

### **SPEAKING TO, FOR, OR AGAINST THE PETITION**

No one spoke, and Chair Eldridge closed the public hearing.

### **DISCUSSION OF THE BOARD**

[Timestamp 59:59] Mr. Mattson said he was at first struck by how much relief was being asked for and how intense it seemed, but a huge factor was that the proposed structure is small and only one story and tucked back. Mr. Rheume said the Planning Board would go through the Conditional Use Permit process, but he thought it came down to the attached garage and that most of the relief asked for was setback relief. He said what the applicant was asking for would have less overall coverage, and while it didn't fully meet the open space or building coverage requirements, it would be an improvement over the current situation. He said a unique aspect of the lot was that it was cut out of the adjacent lot that also had a structure on it so it had almost no setbacks associated with it and created a small lot. He said some of the setbacks were driven by that. He said the proposed garage did create a setback relief but was up against a paper street. He said it was in the applicant's favor that that side of the property was really open space and that the property next to it would not be built upon. He said the applicant was making a good faith effort to improve the cookie-cutter lot.

### **DECISION OF THE BOARD**

*Vice-Chair Margeson moved to **grant** the variances for the petition as presented and advertised, seconded by Mr. Rheume.*

[Timestamp 1:04:38] Vice-Chair Margeson referred to Criteria 10.233.21 and .22 of the ordinance and said granting the variances would not be contrary to the public interest and would observe the spirit of the ordinance. She said the applicant was looking for relief for the front yard, side yard, and rear yard setbacks, the building coverage, and the open space coverage, and she thought the applicant was going in the right direction to make things more conforming with the zoning ordinance. She said substantial justice would be done because the public would not gain anything by the denial of the variance, so Criterion 10.233.23 was met. Regarding Criterion 10.233.24, she said granting the variances would not diminish the values of surrounding properties because it would be a one-story carriage house with a garage and would be a significant improvement over the existing structure that the Historic District Commission deemed not to be historic or of architectural interest. Referring to Criterion 10.233.25, she said the property had special conditions because it was carved out of the lot to the left of it and was very constrained in what it could do in the back of the property, and it also was on a paper street that was more of a public right-of-way. She said, owing to those special conditions, that a fair and substantial relationship does not exist between the general public purpose of the ordinance provision and the specific application of that provision to the property. She said it did not make much sense to apply the provisions to the property related to the other relief asked for the side yard setbacks, given the property's uniqueness and the fact that it is significantly smaller than the minimum lot size for the GRA District. She said a detached ADU was allowed in the GRA District and was a reasonable use. Mr. Rheume concurred. He said in terms of parking, the last time the application was before the Board there was a lot of concern, but the applicant had done a fair job of showing how three legitimate parking spaces could be created, one in the garage and the other two between the current primary structure and the proposed ADU. He said it looked more feasible than what was proposed the first time around in terms of trying to prevent stacked parking and the need to back out onto Maplewood Avenue with very little sight lines. He said the applicant adequately addressed the issue and the fact that they made the ADU smaller was one of the contributing factors that allowed them to do that. Vice-Chair Margeson noted that she didn't think her motion needed a condition that the approval was dependent on a modification of the Conditional Use Permit because it would be considered by the Planning Board.

[Timestamp 1:09:46] Mr. Nies said he would not support the motion because he was concerned that some of the necessary information was not in the document, including the fact that the Board did not have a comparison of the gross floor area of the ADU to the primary building and did not have the proposed ADU's footprint. He said he knew the guidance on the Conditional Use Permit and that the Planning Board could modify a specific standard set forth in the ADU section, except for the size and height of any ADU. He said what he was calling out was more of a technical issue and that it was unclear to him whether the size included things like the building footprint and whether a variance was needed for that, and the size of the building. Mr. Mattson said the Planning Department deemed that the size referred to was the living area set forth by State statute of 750 square feet as opposed to the building's footprint size, and that he also learned that the Planning Board did not grant modifications lightly.

*The motion **passed** by a vote of 6-1, with Mr. Nies voting in opposition to the motion.*

### **III. NEW BUSINESS**

- A. The request of **Jonagold Empire LLC (Owners)**, and **Benjamin Otis (Applicant)** for property located at **230 Lafayette Road, Unit 10 A/B** whereas relief is needed to establish a medical office in units 10A and 10B which requires the following: 1) Variance from Section 10.440 Use #6.20 to allow a medical office use where it is not allowed. Said property is located on Assessor Map 151 Lot 6-D10B and lies within the General Residence A (GRA) District. (LU-24-143)

#### **SPEAKING TO THE PETITION**

[Timestamp 1:12:17] The applicant and co-owner Ben Otis was present to review the petition and said they wanted to change the unit from a professional use to a medical professional one. He said there would be no change to the exterior and that all the other suites and buildings had medical professionals, so it would be consistent. He reviewed the criteria and said they would be met.

The Board had no questions. Chair Eldridge opened the public hearing.

#### **SPEAKING TO, FOR, OR AGAINST THE PETITION**

No one spoke, and Chair Eldridge closed the public hearing.

#### **DECISION OF THE BOARD**

*Mr. Rossi moved to **grant** the variance for the petition as presented and advertised, seconded by Mr. Rheume.*

[Timestamp 1:17:10] Mr. Rossi said granting the variance would not be contrary to the public interest and would observe the spirit of the ordinance. He said there was no public interest to be served by limiting the use of that particular suite to be in conformance with the ordinance, so it satisfied those two criteria. He said substantial justice would be done because the benefit to the applicant was that they would have a place to perform their medical practice that is consistent with the type of activity in the surrounding suites. He said there would be no harm or loss to the public and that it was actually a benefit to the public. He said granting the variance would not diminish the values of surrounding properties, noting that there would be no excessive noise or changes and modifications to the exterior of the building or encroaching on the ability of the neighboring suites to perform their businesses. He said literal enforcement of the ordinance would result in unnecessary hardship due to special conditions of the property that distinguished it from other properties in the area, particular Subsection A where there is no fair and substantial relationship between the general public purposes of the ordinance and the specific application of that provision to the property, and the proposed use is reasonable. He said it all tied back to the prevailing use in the neighboring suites, and continuing those types of uses would be reasonable. He said the

buildings on the property defined their own neighborhood, so there was no real relationship between the ordinance as written and the uses that are commonly practiced in this neighborhood. Mr. Rheume concurred. He said normally the Board was reluctant to grant variances for uses but in this case, there was a unique situation of two separate pieces of property, two lots involved with the condo complex, and they were in different zones and neither zone allowed office uses. He said the previous use of a professional office was also not allowed by the GRA zone that the parcel is in. He said it was a unique set of circumstances that went back several decades. He said he could understand why the Planning Board would have a hard time zoning it more correctly, which he further explained. He said creating the two spots as its own unique zone would constitute spot zoning, which the Board did not want to do. He said there was a recognition that there had been a longstanding use, and while it was different than what was generally allowed in those residential neighborhoods, it had worked for many years and there was no reason to think that the real intent of the ordinance was to somehow change the two parcels into a future residential area. He said the specific use request, while unusual for the Board to grant as a variance, made sense.

Mr. Nies said he would support the motion and that it was a textbook example of how the actual use in the area evolved over time and had nothing to do with the zoning, and the Board would be hard pressed to deny the variance in that case. He said even though the area was designed as a residential one in the 1950s, it was not residential now and that type of activity was rampant in that block.

*The motion passed unanimously, 7-0.*

- B.** The request of **Condos at Rock Hill (Owners)**, and **Stewart Bradley (Applicant)**, for property located at **962 Islington Street and 964 Islington Street** whereas relief is needed to demolish and reconstruct the existing front steps which requires the following relief: 1 ) Variance from Section 10.521 for a) an 11 foot front yard where 30 is required, and b) 30% building coverage where 20% is allowed; and 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 located on Assessor Map 171 Lot 1 and lies within the Single Residence B (SRB) District. (LU-24-146)

## **SPEAKING TO THE PETITION**

[Timestamp 1:24:21] Applicant and owner of 966 Islington Street Stuart Bradley was present to speak to the petition. He said he wanted to remove the existing stairs at either end of the porch at 962 and 964 Islington Street because they were dangerous and out of code and replace them with new ones. He reviewed the criteria and said they would be met.

The Board had no questions. Chair Eldridge opened the public hearing.

## **SPEAKING TO, FOR, OR AGAINST THE PETITION**

No one spoke, and Chair Eldridge closed the public hearing.



## DECISION OF THE BOARD

*Mr. Rossi moved to **grant** the variances for the petition as presented and advertised, seconded by Mr. Mattson.*

[Timestamp 1:28:58] Mr. Rossi said two staircases were being replaced with almost identical replacement stairs and because of that, the variances would not be contrary to the public interest and would observe the spirit of the ordinance. He said there would be no alteration in the essential character of the neighborhood and that it would be a change that would be invisible to the rest of the neighborhood unless they went up and down the stairs. He said it would not impact the safety or welfare of the general public or otherwise injure public rights, so those two criteria were satisfied. He said substantial justice would be done because there would be a benefit to the property owners in improving the safety of ingress and egress from the units on those staircases and no loss to the public in providing that safety benefit to the property owners. He said granting the variances would not diminish the values of surrounding properties due to the same reasons stated in the first two criteria. He said the change would be invisible to the surrounding property owners and would therefore have no conceivable impact on the values of their properties. He said literal enforcement of the ordinance would result in unnecessary hardship due to special conditions of the property that distinguished it from other properties in the area. He said that was hard to articulate in this case, but the special condition of the property was the unsafe condition of ingress and egress to the dwelling, which was not a condition shared by surrounding properties, so it therefore satisfied the criterion of not having a substantial relationship between the requirements of the ordinance and the proposed variance. He said all five criteria were adequately satisfied. Mr. Mattson concurred. He said, relating to the hardship, the existing structure is where it is and the size and location of the lot were the reasons for the variance. Mr. Rheume said he would support the motion, noting that another factor that weighed in for the hardship was the building structures going back to 1900 and predating the ordinance. He said the building always had a front entryway, and to now say that the applicant could only use that front entryway did not make sense.

*The motion **passed** unanimously, 7-0.*

- C. The request of **Ryan and Joanna Brandt (Owners)** for property located at **570 Dennett Street** whereas relief is needed to demolish the existing single car detached garage and construct a new single car garage which requires the following: 1) Variance from Section 10.571 to allow an accessory structure to be located in the required front yard and closer to the street than the principal building; 2) Variance from Section 10.573 to allow a 3 foot secondary front yard where 14 feet are required; and 3) 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 located on Assessor Map 161 Lot 12 and lies within the General Residence A (GRA) District. (LU-24-156)

## SPEAKING TO THE PETITION

[Timestamp 1:34:12] Owner/applicant Ryan Brandt was present to review the petition. He said the existing garage was rotting and he wanted to replace it in the same footprint by replacing the concrete pad with the modest expansion of two feet to the rear setback and four feet deeper into the property to accommodate a modern car. He said the abutting neighbor had a large 2-car garage along the same 3-ft setback and their garage was almost on his rear property line, which he would not encroach on. He said he had letters of approval from all the abutting neighbors. He reviewed the criteria and said they would be met.

The Board had no questions. Chair Eldridge opened the public hearing.

### **SPEAKING TO, FOR, OR AGAINST THE PETITION**

No one spoke, and Chair Eldridge closed the public hearing.

### **DECISION OF THE BOARD**

*Mr. Rheume moved to **grant** the variances for the petition as presented and advertised, seconded by Mr. Mattson.*

[Timestamp 1:41:18] Mr. Rheume said granting the variances would not be contrary to the public interest and would observe the spirit of the ordinance. He noted that the criterion were taken together to reflect what was being asked for in terms of the characteristics of the neighborhood. He said nothing substantial was being altered because the applicant made a good argument that the existing alignment for the garage was consistent with the closest neighbors. He said it had been in place for many years and was not out of character with the overall neighborhood's accessory structures. He said that not all the examples provided were necessarily front yard or in this case, secondary side setbacks, but were usually up against the property line or in some way nonconforming, so the fact that the applicant asked to align the garage to the 3-ft depth relative to the property line was satisfactory, as well as the fact that it was four feet deep, which really was not in the Board's purview. He said it was really the width within that 15-ft side yard setback that added two additional feet that was what the Board was concerned about and that the actual depth was beyond what the actual setback would be. He said granting the variances would do substantial justice because the applicant could now create a garage that is two feet wider and more conforming to a modern single-car garage and was only asking to bring it up to a width that was more accepted in modern times for modern vehicles to be parked in. He said there was nothing in the public purposes that would indicate that pushing it back to the 15-ft line would somehow provide some public benefit and that it was in alignment with the overall neighborhood and the neighbors were in support of it. He said granting the variances would not diminish the values of surrounding properties because it was a minor change. He said the garage would probably be a net plus benefit because it was slightly larger and the cross dimensions would not negatively affect that. Regarding the hardship, he said what was unique about the lot was a preexisting structure that likely predated the current zoning requirements and was a characteristic of the neighborhood. He said it was a unique set of circumstances and that the applicant was simply asking to replace what existed and not cause further encroachment. He said there was also some additional distance to the actual

roadway itself, which gave the feel that it wasn't quite at three feet and not up against a road and felt like it was set back further from the road. He said the proposed use was reasonable. Mr. Mattson concurred. He said the secondary frontage is on Whipple Street, which is a very low-traffic street, and the proposed location of the garage is sufficiently far enough from the intersection with Dennett Street and won't provide any sight line issues.

*The motion **passed** unanimously, 7-0.*

#### **IV. OTHER BUSINESS**

[Timestamp 1:45:52] Chair Eldridge stated that there would be a work session on Tuesday, September 24, at 6:00 p.m. to discuss the Board's rules and regulations and that City Attorney Trevor McCourt would be present.

#### **V. ADJOURNMENT**

The meeting adjourned at 8:50 p.m.

Respectfully submitted,

Joann Breault  
BOA Recording Secretary