

**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 2020-21, 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.**

**DECEMBER 15, 2020**

**ACTION SHEET**

**MEMBERS PRESENT:** Chairman David Rheame, Vice-Chairman Jeremiah Johnson, Jim Lee, Peter McDonell, Christopher Mulligan, John Formella, Arthur Parrott, Alternate Phyllis Eldridge, Alternate Chase Hagaman

**MEMBERS ABSENT:** None

**ALSO PRESENT:** Peter Stith, Planning Department

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**I. ELECTION OF OFFICERS**

David Rheame was reappointed as Chair and Peter McDonell was appointed as Vice Chair.

**II. APPROVAL OF MINUTES**

A) Approval of the minutes of the meetings of November 17 and 24, 2020.

Both sets of minutes were approved with no corrections.

**III. OLD BUSINESS**

A) Petition of **150 Greenleaf Avenue Realty Trust, Owner**, for property located at **150 Greenleaf Avenue** for Appeal of an Administrative Decision that the following are required: 1) A Variance from Section 10-208 Table 4 - Uses in Business Districts (2009 Ordinance, Section 10.592.20 in current Ordinance) that requires a 200 foot setback from any adjoining Residential or Mixed Residential district for motor vehicle sales. 2) A Variance from Section 10-1201, Off-Street Parking (2009 Ordinance, Section 10.1113.30 in current Ordinance) that requires a 100 foot setback for business parking areas from any adjoining Residential or Mixed Residential district. 3) A Wetland Conditional Use Permit for development within the Inland Wetlands Protection District. Said property is shown on Assessor Map 243 Lot 67 and lies within the Gateway Neighborhood Mixed Use Corridor (G1) District.

The Board voted to **deny** the Administrative Appeal.

**B)** Petition of **111 Maplewood Avenue, LLC, Owner**, for property located at **145 Maplewood Avenue** wherein relief is needed from the Zoning Ordinance for signage for new building which requires the following: 1) A Variance from Section 10.1251.20 to allow a 57 square foot freestanding sign where 20 square feet is the maximum allowed. 2) A Variance from Section 10.1242 to allow wall signs above the ground floor on all sides of the building. 3) A Variance from Section 10.1242 to allow wall signs above the ground floor on a side of a building not facing a street. 3) A Variance from Section 10.1144.63 to allow illuminated signs above 25 feet from grade. Said property is shown on Assessor Map 124 Lot 8-1 and lies within the Character District 5 (CD5) District.

The Board voted to **deny** this request.

#### **IV. PUBLIC HEARING – NEW BUSINESS**

**A)** Petition of **Jonathan Sandberg, Owner**, for property located at **160 Bartlett Street** whereas relief is needed from the Zoning Ordinance to construct a 6' x 15' mudroom addition on the rear of the house which requires the following: 1) A Variance from Section 10.521 to allow 34% building coverage where 25% is the maximum allowed. 2) A Variance from Section 10.321 to allow a nonconforming structure or building to be extended, reconstructed or enlarged without conforming to the requirements of the Ordinance. Said property is shown on Assessor Map 163 Lot 5 and lies within the General Residence A (GRA) District.

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

**B)** Petition of **The Rice Family Revocable Trust of 1988, Owner**, for property located at **25 Morning Street, Unit B** whereas relief is needed from the Zoning Ordinance to construct a 6' x 21' deck which requires the following: 1) Variances from Section 10.521 to allow a) a 2 foot side yard where 10 feet is required; and b) 32% building coverage where 25% is the maximum allowed. 2) A Variance from Section 10.321 to allow a nonconforming structure or building to be extended, reconstructed or enlarged without conforming to the requirements of the Ordinance. Said property is shown on Assessor Map 163 Lot 19-2 and lies within the General Residence A (GRA) District.

The Board voted to **grant** this request as advertised and submitted.

**C)** Petition of **Sean Miller, Owner**, for property located at **303 Thornton Street** whereas relief is needed from the Zoning Ordinance to construct an addition to an existing home which requires the following: 1) A Variance from Section 10.521 to allow a 5 foot front yard where 15 feet is required. 2) A Variance from Section 10.321 to allow a nonconforming structure or building to be extended, reconstructed or enlarged without conforming to the requirements of the

Ordinance. Said property is shown on Assessor Map 162 Lot 5 and lies within the General Residence A (GRA) District.

The Board voted to **grant** this request as advertised and submitted.

## **V. OTHER BUSINESS**

The Board wished Vice-Chair Johnson well. Chairman Rheaume said he appreciated having Mr. Johnson on the Board, especially in the Vice-Chair role, and that his valued advice and opinions on architectural matters would be greatly missed. Mr. Johnson said he enjoyed his time on the Board and had learned a lot. He said the work the Board did was important and that they put a lot of dedicated time into fostering the community.

## **VI. ADJOURNMENT**

The meeting adjourned at 11:00 pm.