

**BOARD OF ADJUSTMENT MEETING  
PORTSMOUTH, NEW HAMPSHIRE**

**Remote Meeting Via Zoom Conference Call**

*You are required to register to join the meeting over Zoom, a unique meeting ID and password will be provided once you register. Public comments can be emailed in advance to [planning@cityofportsmouth.com](mailto:planning@cityofportsmouth.com). For technical assistance, please contact the Planning Department by email ([planning@cityofportsmouth.com](mailto:planning@cityofportsmouth.com)) or phone (603) 610-7296.*

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 2020-5, 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.**

**JUNE 16, 2020**

**ACTION SHEET**

**MEMBERS PRESENT:** Chairman David Rheaume, Vice-Chairman Jeremiah Johnson, Jim Lee, Christopher Mulligan, John Formella, Alternate Phyllis Eldridge and Alternate Chase Hagaman

**MEMBERS EXCUSED:** Arthur Parrot and Peter McDonell

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

---

**I. APPROVAL OF MINUTES**

A) Approval of the minutes of the meetings of May 19, 2020 and May 26, 2020.

Both sets of minutes were approved after minor edits were made to the May 19, 2020 minutes.

**II. PUBLIC HEARINGS – OLD BUSINESS**

1) Petition of the **Donna Pantelakos Revocable Trust, Owner** for property located at **138 Maplewood Avenue** wherein relief is needed from the Zoning Ordinance to create a new dwelling unit by constructing a second floor addition over an existing garage which requires the following; 1) A Variance from Section 10.521 to allow: a) a lot area per dwelling unit of 2,616 where 3,000 is required; and b) a 1' right side yard where 5' 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 124 Lot 6 and lies within the Character District 4-L1 (CD4-L1) District.

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

2) **WITHDRAWN** Petition of **Michael Petrin, Owner**, for property located at **268 Dennett Street** wherein relief is needed from the Zoning Ordinance to demolish the right side portion of house and reconstruct new addition which requires the following: 1) A Variance from Section 10.521 to allow a 0' right side yard where 10' 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 143 Lot 13-1 and lies within the General Residence A (GRA) District. **WITHDRAWN**

The Board voted to **accept withdrawal** of this request.

### III. PUBLIC HEARINGS – NEW BUSINESS

1) Petition of **Joseph & Jessica Denuzzio, Owners**, for property located at **105 Thornton Street** wherein relief is needed from the Zoning Ordinance to demolish existing greenhouse and construct new shed addition which requires the following: 1) A Variance from Section 10.521 to allow a) a 2' front yard where 15' is required; and b) 49% 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 159 Lot 18 and lies within the General Residence A (GRA) District.

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

- That the lot coverage shall be limited to a maximum of 33% building coverage instead of the 49% that was advertised.

2) Petition of **Timothy Whitaker, Owner**, for property located at **1163 Sagamore Avenue, Unit 20** wherein relief is needed from the Zoning Ordinance for construction of a 10' x 24' rear deck which requires the following: A Variance from Section 10.521 to allow a 7.5' rear yard where 15' is required. Said property is shown on Assessor Map 224 Lot 17-2 and lies within the Mixed Residential Office (MRO) District.

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

3) Petition of **Raleigh Way Holding Group, LLC, Owner**, for property located at **0 Falkland Way (off Albacore and Saratoga Way)** wherein relief is needed from the Zoning Ordinance to merge two lots and demo existing structures in order to construct a 4 unit multi family dwelling which requires the following: 1) A Variance from Section 10.521 to allow a lot area per dwelling unit of 3,736 square feet where 5,000 square feet is the minimum required; and 2) A Special Exception from Section 10.440 Use #1.51 to allow 4 dwelling units where the use is allowed by a special exception. Said property is shown on Assessor Map 212 Lot 112 and lies within the General Residence B (GRB) District.

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

4) Petition of **RKW Investment Properties, LLC, Owner**, for property located at **115 Heritage Avenue** wherein relief is needed from the Zoning Ordinance to allow a place of assembly which requires the following: 1) A Variance from Section 10.440 Use #3.10 to allow a place of assembly where the use is not permitted in the district. Said property is shown on Assessor Map 285 Lot 5-1 and lies within the Industrial (I) District.

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

- That the place of assembly shall be limited to the floor area of approximately 3,000 square feet that is currently occupied; and,
- That any scheduled gathering shall be limited to no more than 50 patrons at a time.

5) Petition of **Karen Dufour, Owner**, for property located at **77 Meredith Way** wherein relief is needed from the Zoning Ordinance to subdivide one lot into two lots which requires the following: A Variance from Section 10.521 to allow 0' of continuous street frontage for both lots where 100' is required for each. Said property is shown on Assessor Map 162 Lot 16 and lies within the General Residence A (GRA) District.

The Board voted to **accept withdrawal** of this request.

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

None.

#### **V. ADJOURNMENT**

The meeting adjourned at 10:30 pm.