

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

**7:00 P.M.**

**June 22, 2021**

**ACTION SHEET**

**MEMBERS PRESENT:** Chairman David Rheaume Vice-Chairman Peter McDonell,  
Christopher Mulligan, Arthur Parrott, Jim Lee, David MacDonald,  
Alternate Chase Hagaman

**MEMBERS EXCUSED:** Alternate Phyllis Eldridge

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

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The Board voted to take Petitions I through N out of order.

The Board voted to **postpone** Petitions I through M to the July meeting.

**I. PUBLIC HEARINGS – NEW BUSINESS**

- A) Request of **William T. and Susan Manfull, Owners**, for the property located at **12 South Street** whereas relief is needed from the Zoning Ordinance to construct a one-story rear addition which requires the following: 1) Variances from Section 10.521 to allow a) 39.5% building coverage where 30% is required; b) a 2' left side yard where 10' is required; and c) a 16' rear yard where 25' is required. 2) A Variance from Section 10.321 to allow a nonconformist 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 42 and lies within the General Residence B (GRB) District.

The Board voted to **grant** the variances for the petition as presented and advertised with the following **stipulation**:

- 1) To allow a 2' secondary front yard where 5' is required.

- B) Request of **One Twenty Four Group LLC, Owner** for the property located at **124 Heritage Avenue** whereas relief is needed from the Zoning Ordinance for change of use to a laboratory which requires the following: 1) A Special Exception from Section 10.440, Use #14.61 to permit a Biological or Chemical Laboratory - Not Marine Dependent where the use is allowed by Special Exception. Said property is shown on Assessor Map 284 Lot 8 and lies within the Industrial (I) District.

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

- C) Request of **Alexandra Roberts and William E. Garrison III, Owners**, for the property located at **222 Cass Street** whereas relief is needed from the Zoning Ordinance to construct a 1-story mudroom addition over existing rear deck with new landing and steps which requires the following: 1) Variances from Section 10.521 to allow a) a 3.5' left side yard where 10' is required; and b) 42% building coverage where 35% is the maximum allowed. 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 147 Lot 29 and lies within the General Residence C (GRC) District.

The Board voted to **grant** the variances for the petition as presented and advertised.

- D) Request of **Lisa, Gary and Joan Preston, Owners**, for the property located at **32 Rockingham Avenue** whereas relief is needed from the Zoning Ordinance to allow the keeping of pekin ducks which requires the following: 1) A Special Exception from Section 10.440, Use #17.20 to allow the keeping of farm animals where the use is allowed by Special Exception. Said property is shown on Assessor Map 235 Lot 2 and lies within the Single Residence B (SRB) District.

The Board voted to **grant** the special exception with the following **stipulation**:

- 1) Limited to a maximum of 4 ducks.

- E) Request of **David J. Hudlin, Owner**, for the property located at **256 Wibird Street** whereas relief is needed from the Zoning Ordinance to construct a detached garage which requires the following: 1) Variances from Section 10.521 to allow a) a 5' rear yard where 12.5' is required; and b) to allow 28% building coverage where 25% is the maximum allowed. 2) A Variance from Section 10.571 to allow an accessory structure to be located closer to the street than the principal building. Said property is shown on Assessor Map 149 Lot 11 and lies within the General Residence A (GRA) District.

The Board voted to **grant** the variances for the petition as presented and advertised.

- F) Request of **The Peter Dawson Revocable Trust and The Karen G. Dawson Revocable Trust, Owners**, for the property located at **648 Lincoln Avenue** whereas relief is needed from the Zoning Ordinance for adding a second story addition which requires the following: 1) Variances from Section 10.521 to allow a) a 6.5' right side yard where 10' is required; and b) 34% building coverage where 25% is the maximum allowed. 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 148 Lot 18 and lies within the General Residence A (GRA) District.

The Board voted to **grant** the variances for the petition as presented and advertised.

- G) Request of **Marcella F. Hoekstra, Owners**, for the property located at **35 Whipple Court** whereas relief is needed from the Zoning Ordinance to construct a 4' x 17' rear addition which requires the following: 1) A Variance from Section 10.521 to allow 26% building coverage where 20% is the maximum allowed. 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 260 Lot 98 and lies within the Single Residence B (SRB) District.

The Board voted to **grant** the variances for the petition as presented and advertised.

- H) Request of **Kevin M. Breen, Catherine Breen Stehman, and Christopher Breen, Owners**, for the property located at **82 Cass Street** whereas relief is needed from the Zoning Ordinance to install condenser unit which requires the following: 1) A Variance from Section 10.515.14 to allow a 7' side yard setback where 10' is required. Said property is shown on Assessor Map 156 Lot 28 and lies within the General Residence C (GRC) District.

The Board voted to **grant** the variances for the petition as presented and advertised.

- I) Request of **Bucephalus LLC, Owners**, for the property located at **650 Maplewood Avenue** whereas relief is needed from the Zoning Ordinance to change of use to allow motorcycle sales which requires the following: 1) A Special Exception from Section 10.440, Use #11.10 to allow the sales, renting or leasing of motorcycles where the use is permitted by Special Exception. 2) A Variance from Section 10.592.20 to allow the proposed use to be located adjacent to a Residential district where 200 feet is required. 3) A Variance from Section 10.843.21 to allow areas for parking, outdoor storage and outdoor display of vehicles or equipment to be setback less than 40 feet from the street right-of-way where 40 feet is required. Said property is shown on Assessor Map 220 Lot 88 and lies within the Business (B) District. **REQUEST TO POSTPONE**

The Board voted to **postpone** to the July 20, 2021 meeting.

- J) Request of **The Elizabeth B. Larsen Trust of 2012, Owner**, for the property located at **668 Middle Street** whereas relief is needed from the Zoning Ordinance to subdivide lot into three lots which requires the following: 1) A Variance from Section 10.521 to allow 114' and 100' of frontage on a private way where 100' of frontage on a formally accepted street or other road approved by the Planning Board and constructed to City subdivision standards. 2) A Variance from Section 10.521 to allow 69.83' of frontage on Middle Street where 100 feet is required. 3) A Variance from Section 10.512 to allow construction of a structure on a lot with access to a private right of way. Said property is

shown on Assessor Map 147 Lot 18 and lies within the General Residence A (GRA) District. **REQUEST TO POSTPONE**

The Board voted to **postpone** to the July 20, 2021 meeting.

- K) Request of **Cate Street Development LLC, Owner**, for the property located at **428 US Route 1 Bypass** whereas relief is needed from the Zoning Ordinance to replace two existing free-standing signs with new signs for mixed-use development which requires the following: 1) A Variance from Section 10.1251.20 to allow a 388.5 square foot sign where 100 square feet is the maximum allowed. 2) A Variance from Section 10.1251.20 to allow a 60 square foot secondary sign where 40 square feet is the maximum allowed. Said property is shown on Assessor Map 172 Lot 1 and lies within the Gateway Neighborhood Mixed Use Corridor (G1) District. **REQUEST TO POSTPONE**

The Board voted to **postpone** to the July 20, 2021 meeting.

- L) Request of **Wentworth Corner LLC, Owners**, for the property located at **960 Sagamore Avenue** whereas relief is needed from the Zoning Ordinance to demolish existing structures and construct an 8 unit residential building which requires the following: 1) A Variance from Section 10.521 to allow a lot area per dwelling unit of 5,360 square feet where 7,500 square feet is required. 2) A Variance from Section 10.1114.31 to allow two driveways on a lot where one driveway is permitted. Said property is shown on Assessor Map 201 Lot 2 and lies within the Mixed Residential Business (MRB) District. **REQUEST TO POSTPONE**

The Board voted to **postpone** to the July 20, 2021 meeting.

- M) Request of **Stephen G. Bucklin LLC, Owners**, for the property located at **322 Islington Street** whereas relief is needed from the Zoning Ordinance to request to amend variances that were granted to move an existing carriage house to a new foundation and add a one-story connector to the existing house by removing the stipulation that required a signed letter of approval from the property's rear neighbor. Said property is shown on Assessor Map 145 Lot 3 and lies within the Character District 4-L2 (CD4-L2) District. **REQUEST TO POSTPONE**

The Board voted to **postpone** to the July 20, 2021 meeting.

- N) Appeal of **Duncan MacCallum (Attorney for the Appellants)** of the April 15, 2021 decision of the Planning Board for property located at **105 Bartlett Street** which granted the following: a) a wetlands conditional use permit under Section 10.1017 of the Zoning Ordinance; b) a parking conditional use permit under Section 10.1112 of the Ordinance; c) site plan review approval; and d) approval of lot line revision. Said properties are

shown on Assessor Map 157 Lot 1 and Lot 2 and Assessor Map 164 Lot 1 and 4-2 and lie within the Character District 4-W (CD4-W) and Character District 4-L1 (CD4-L1) Districts.

The Board voted to **postpone** to the July 20, 2021 meeting.

## **II. OTHER BUSINESS**

There was no other business.

## **III. ADJOURNMENT**

The meeting was adjourned at 9:30 p.m.