

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

7:00 P.M.

November 15, 2022

**ACTION SHEET**

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

**MEMBERS EXCUSED:** Beth Margeson

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

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\*Vice-Chair Lee was present via Zoom. Ms. Eldridge was Acting-Chair.

**I. APPROVAL OF MINUTES**

Approval of the minutes of the meetings of October 18, 2022 and October 25, 2022.

*The October 18 minutes were **approved** as presented.*

*The October 25 minutes were **approved** as amended.*

Acting-Chair Eldridge asked the Board to elect a new Chair and Vice-Chair.

*The Board voted to elect Vice-Chair Lee as Chairman and Beth Margeson as Vice-Chair.*

**II. OLD BUSINESS**

- A.** The request of **Jeffrey M. and Melissa Foy (Owners)**, for property located at **67 Ridges Court** whereas relief is needed for construction of a 518 square foot garage addition which requires the following: 1) A Variance from Section 10.521 to allow a 15.5 foot front yard where 19 feet is required per Section 10.516.10. 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 located on Assessor Map 207 Lot 59 and lies within the Single Residence B (SRB) District. (LU-22-199)

*Mr. Rossi moved that the Board determine that the petition does not fall under Fisher v. Dover and that it be heard. Mr. Mattson seconded. The motion **failed**.*

### III. NEW BUSINESS

- A.** The request of **Emily-Anne Boon (Applicant)** and **Jeanne L. Wescott Revocable Trust (Owner)**, for property located at **118 Maplewood Avenue, Unit C4** whereas relief is needed to allow a medical office which requires the following: 1) A Special Exception from Section 10.440, Use #6.20 to allow a medical office where the use is permitted by Special Exception. Said property is located on Assessor Map 124 Lot 5-C4 and lies within the Character District 4-L1 (CD4-L) and the Historic District. (LU-22-205)

*The Board voted to **grant** the special exception for the petition as presented.*

- B.** The request **Optima Dermatology (Applicant)**, and **Seacoast Newspapers, Inc. (Owner)**, for property located at **111 New Hampshire Avenue** whereas relief is needed to allow a testing laboratory which requires the following: 1) A Special Exception from Part 303-A.03 (f) of the Pease Development Authority Zoning Ordinance. Said property is located on Assessor Map 306 Lot 4 and lies within the Pease Industrial (PI) and Airport Business Commercial (ABC) Districts. (LU-22-207)

*The Board voted to recommend **approval** of the request for the special exception as presented.*

- C.** The request **635 Sagamore Development LLC (Owner)**, for property located at **635 Sagamore Road** whereas relief is needed to remove existing structures and construct 4 single family dwellings which requires the following: 1) A Variance from Section 10.513 to allow four free-standing dwellings where one is permitted. 2) A Variance from Section 10.521 to allow a lot area per dwelling unit of 21,198 square feet per dwelling where 43,560 square feet is required. Said property is located on Assessor Map 222 Lot 19 and lies within the Single Residence A (SRA) District. (LU-22-209)

*The Board voted to **continue** the petition to the December 20<sup>th</sup> meeting.*

- D.** The request **Donald and Rasa Stone Revocable Trust (Owner)**, for property located at **55 Gates Street** whereas relief is needed for the addition of 2 heat pumps which requires the following: 1) A Variance from Section 10.515.14 to allow a 3.5 foot setback where 10 feet is required. Map 103 as Lot 90 and lies within the General Residence B (GRB) and Historic Districts. (LU-22-43)

*The Board voted to **grant** the variance for the petition as presented.*

E. The request of **Sara Sommer Kaufman Revocable Trust (Owner)**, for property located at **546 Sagamore Avenue** whereas relief is needed to allow a 6 foot fence in the front yard which requires the following: 1) A Variance from Section 10.515.13 to allow a 6 foot fence with a 1 foot front yard setback where 30 feet is required. Said property is located on Assessor Map 222 Lot 10 and lies within the Single Residence B (SRB) District. (LU-22-206)

*The Board voted to **grant** the variance for the application as presented.*

F. The request of **Aviation Avenue Group, LLC (Applicant)** and **Pease Development Authority (Owner)**, for property located at **100 New Hampshire Avenue (80 Rochester Avenue)** whereas relief is needed for the construction of an advanced manufacturing facility which requires the following: 1) A Variance from Part 304.03(c) to allow a 51 foot front yard where 70 feet is required. Said property is located on Assessor Map 308 Lot 1 and lies within the Pease Industrial (PI) District.

*The Board voted to **recommend approval** to the PDA.*

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

*Chairman Lee thanked Ms. Eldridge for doing a remarkable job as Acting-Chair. He thanked the Board for electing him Chair and said he appreciated the trust and confidence they showed in him and would do his best to continue to deserve it.*

#### **V. ADJOURNMENT**

*The meeting adjourned at 8:21 p.m.*