

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

**7:00 P.M.**

**April 19, 2022**

**ACTION SHEET**

**MEMBERS PRESENT:** Arthur Parrott, Chairman, Jim Lee, Vice Chair; David MacDonald, Beth Margeson, Thomas Rossi, Paul Mannle, Phyllis Eldridge

**MEMBERS EXCUSED:**

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

---

**I. APPROVAL OF MINUTES**

A) Approval of the minutes of the meetings of March 15, 2022.

*The March 15, 2022 minutes were **approved** as presented.*

**II. OLD BUSINESS**

A. **Lancen and Sophie LaChance - 11 Fletcher Street** request a 1-year extension to the variances granted on April 21, 2020. (LU-20-42)

*The Board voted to **grant** the request for a one-year extension, with the following stipulation:*

- 1. The drainage evaluation for the modified plans shall be done prior to the issuance of the building permit.*

B. **Maple Masjid - 686 Maplewood Avenue** request a 1-year extension to the special exception and variances granted on April 21, 2020. (LU-20-37)

*The Board voted to **grant** the request for a one-year extension.*

C. **REQUEST TO POSTPONE** The request of **Francis X. Bruton, (Attorney for Appellants)**, for Appeal of Administrative decision that the merged lot at **1 Congress** is not subject to the height allowances (2 stories, 4th short, 45 feet in height) pursuant to Map 10.5A21B and as permitted pursuant to Section 10.5A21.22(a) & (c) of the Zoning

Ordinance. Said property is shown on Assessor Map 117 Lot 14 and lies within Character District 4 (CD-4), Character District 5 (CD-5) and the Historic District. **REQUEST TO POSTPONE (LU-22-12)**

*The Board voted to **postpone** to the May meeting.*

**D. REQUEST TO POSTPONE** The request of **One Market Square LLC (Owner)**, for the property located at **1 Congress Street** whereas relief is needed to construct a 3 story addition with a short 4th story and building height of 44'-11" which requires the following: 1) A Variance from Section 10.5A.43.31 and Map 10.5A21B to allow a 3-story addition with a short 4th and building height of 44'-11" where 2 stories (short 3rd) and 40' is the maximum allowed. Said property is shown on Assessor Map 117 Lot 14 and lies within Character District 4 (CD-4), Character District 5 (CD-5) and the Historic District. **REQUEST TO POSTPONE (LU-22-12)**

*The Board voted to **postpone** to the May meeting.*

### **III. NEW BUSINESS**

**A.** The request of **Charles Dudas (Owner)**, for property located at **32 Monteith Street** whereas relief is needed for demolition of existing shed and construction of a 2-story attached garage with accessory dwelling unit which requires the following: 1) Variance from Section 10.521 to allow an 8' right side yard where 10' is required. Said property is shown on Assessor Map 143 Lot 22 and lies within the General Residence A (GRA) district. (LU-22-44)

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

**B.** The request of **Frederick J. Baily III (Owner)**, for the property located at **212 Woodbury Avenue** whereas relief is needed for a lot line adjustment on four lots to create 3 conforming lots with the existing dwelling and demolition of one existing dwelling and construction of 2 duplexes and 4 single family dwellings on one lot which requires the following: 1) Variance from Section 10.513 to allow more than one free-standing principal structure on a lot. Said property is shown on Assessor Map 175 Lot 1 and lies within the General Residence A (GRA) District. (LU-22-52)

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

- 1. The Board shall allow any changes made through TAC and the Planning Board during their review processes.*
- 2. The Demolition Committee shall review the petition if anyone objects to the mansard building's demolition.*
- 3. The applicant shall be allowed to make modifications based on any discussion with the abutters.*

- C. The request of **Amanda Blanchette (Owner)**, for the property located at **240 Hillside Drive** whereas relief is needed to extend the existing deck which requires the following: 1) Variance from Section 10.521 to allow 22% building coverage where 20% is the maximum allowed. Said property is shown on Assessor Map 231 Lot 43 and lies within the Single Residence B (SRB) District. (LU-22-1)

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

- D. The request of **Sandra L. Smith-Weise (Owner)**, for property located at **138 Gates Street** whereas relief is needed for construction of a one-story rear mudroom and 1/2 bath addition which requires the following: 1) Variance from Section 10.521 to allow 36% building coverage where 30% 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 103 Lot 54 and lies within the General Residence B (GRB) and Historic Districts. (LU-22-55)

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

- E. The request of **Trisha and Kevin Anderson (Owners)**, for property located at **328 Aldrich Road** whereas relief is needed to demolish existing garage and construct new 12' x 16' shed which requires the following: 1) Variance from Section 10.573.20 to allow a 5' left side yard where 10' is required. Said property is shown on Assessor Map 166 Lot 49 and is located within the Single Residence B (SRB) District. (LU-22-56)

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

- F. **REQUEST TO POSTPONE** The request of **635 Sagamore Development LLC (Owner)**, for property located at **635 Sagamore Avenue** whereas relief is needed to remove existing commercial structure and construct 5 new single-family dwellings which requires the following: 1) A Variance from Section 10.513 to allow 5 principal structures on a lot where only 1 is permitted. 2) A Variance from Section 10.521 to allow a lot area per dwelling unit of 22,389 square feet where 1 acre per dwelling is required. Said property is shown on Assessor Map 222 Lot 19 and lies within the Single Residence A (SRA) District. **REQUEST TO POSTPONE** (LU-22-57)

*The Board voted to **postpone** to the May meeting.*

- G. The request of **Savannah Mary Fodero and Tyler Jacob Forthofer (Owners)**, for property located at **629 Broad Street** whereas relief is needed for upward expansion of existing garage which requires the following: 1) Variance from Section 10.521 to allow a 2' front yard where 15' is required. 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 Assessor Map 221 Lot 13 and lies within the General Residence A (GRA) District. (LU-22-53)

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

**IV. OTHER BUSINESS**

*There was no other business.*

**V. ADJOURNMENT**

*The meeting adjourned at 9:37 PM.*