

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

7:00 P.M.

August 16, 2022

ACTION SHEET

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

MEMBERS EXCUSED: Thomas Rossi

ALSO PRESENT: Peter Stith, Planning Department

I. APPROVAL OF MINUTES

A) Approval of the minutes of the meeting of July 19, 2022.

The minutes of the July 19, 2022 were approved as amended.

II. OLD BUSINESS

A. POSTPONED TO SEPTEMBER The request of **Joel St. Jean and Mariele Chambers (Owners)**, for property located at **108 Burkitt Street** whereas relief is needed to demolish existing garage and construct new 13' x 30' garage which requires the following: 1) A Variance from Section 10.573.20 to allow a 1 foot left side yard where 10 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 located on Assessor Map 159 Lot 30 and lies within the General Residence A (GRA) District. (LU-22-89) **POSTPONED TO SEPTEMBER**

*The Board voted to **postpone** the request to the September meeting.*

B. The request of **Jeffrey M. and Melissa Foy (Owners)**, for property located at **67 Ridges Court** whereas relief is needed to construct a 718 square foot garage addition with living space and deck above which requires the following: 1) A Variance from Section 10.521 to allow a 15.5' front yard where 30' 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 located on Assessor Map 207 Lot 59 and is located within the single residence B (SRB) District. (LU-22-139)

*The Board voted to **deny** the request because there was no unnecessary hardship.*

III. NEW BUSINESS

- A. REQUEST TO POSTPONE** The request of **Jeffrey C. Christensen (Attorney for the Appellants)**, for property located at **225 Banfield Road** for a rehearing of the May 24, 2022 decision of the Zoning Board of Adjustment's granting of a request for variances to demolish the existing building and constructing a new 5 unit commercial building and 60 unit residential building with underground parking which requires the following: 1) A Variance from Section 10.440 to allow a 60 unit residential building where residential uses are not permitted in the Industrial district. Said property is located on Assessor Map 254 Lot 1 and Map 266 Lot 1 and lies within the Industrial (I) District. (LU-22-91)
REQUEST TO POSTPONE

*The Board voted to **grant** the request to postpone.*

- B.** The request of **Lonza Biologics (Owner)**, for property located at **101 International Drive** whereas relief is needed for the addition of a 372 square foot wall sign which will result in 487.5 square feet of total sign area which requires the following: 1) A Variance from Section 306.01(d) to allow 487.5 square feet of total sign area where 200 square feet is the maximum allowed per lot. Said property is located on Assessor Map 305 Lot 6 and is located in the Airport Business Commercial (ABC) District. (LU-22-136)

*The Board voted to recommend **approval** to the Pease Development Authority.*

- C.** The request of **Richard P. Fusegni (Owner)**, for property located at **201 Kearsarge Way** whereas relief is needed to subdivide one lot into three lots which requires the following: 1) A Variance from Section 10.521 to allow 82.5 feet of street frontage where 100 feet is required for proposed Lot 3. Said property is located on Assessor Map 218 Lot 5 and lies within the Single Residence B (SRB) District. (LU-22-150)

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

- D.** The request of **Marcio Goldani Von Muhlen (Owner)**, for property located at **303 Thaxter Road** whereas relief is needed to replace existing entry way with 2-story addition including front landing and steps which requires the following: 1) A Variance from Section 10.521 to allow a 14.5' front yard where 30' is required. Said property is located on Assessor Map 152 Lot 37 and lies within the single residence B (SRB) district. (LU-22-155)

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

- 1) The front yard shall be 18.5' as shown on the revised plans submitted at the meeting.*

- E.** The request of **John A Signorello (Owner)**, for property located at **22 Maple Street** whereas relief is needed to subdivide one lot into two lots and construct new dwelling which requires the following: 1) Variances from Section 10.521 to allow a) a lot area and lot area per dwelling unit of 8,530 and 10,400 where 15,000 is required for each; b) a lot depth of 85' where 100' is required; c) 98' of continuous street frontage where 100' is required; d) an 18' front yard where 30' is required; and e) a 19' rear yard where 30' is required. Said property is located on Assessor Map 237 Lot 1 and lies within the single residence B (SRB) district. (LU-22-156)

*The Board voted to **deny** the request because it was contrary to the public interest, and the benefit to the applicant was outweighed by harm to the general public.*

IV. OTHER BUSINESS

A. Potential Dates for Workshop with NH Municipal Association

It was stated that the City is working with the NH Municipal Association to provide some training with the board. New legislation will be forthcoming about how to make motions and how to add more detail to findings of fact, etc. Plans for coordinating an informal work session at the end of September or early October will be based on member availability.

V. ADJOURNMENT

*The meeting was adjourned at **10:15 p.m.***

**Members of the public also have the option to join this meeting over Zoom, a unique meeting ID and password will be provided once you register. To register, click on the link below or copy and paste this into your web browser:*

https://us06web.zoom.us/webinar/register/WN_uhrQxUFVSYaXPXnXIVSA-A