



CITY OF PORTSMOUTH

Planning Department
1 Junkins Avenue
Portsmouth, New
Hampshire 03801
(603) 610-7216

PLANNING BOARD

November 22, 2022

Regina M. Blus and Mark OLeary, Trustees
Blus OLeary Family Living Trust
225 Wibird street
Portsmouth, New Hampshire 03801

RE: Conditional Use Permit and ADU request for property located at 225 Wibird Street (LU-22-174)

Dear Property Owners:

The Planning Board, at its regularly scheduled meeting of Thursday, November 17, 2022, considered your application for Conditional Use Permit Approval as permitted under Section 10814.40 of the Zoning Ordinance to construct an attached Accessory Dwelling Unit. Said property is shown on Assessor Map 133 Lot 54 and lies within the General Residence A (GRA) District. As a result of said consideration, the Board voted 1) to find that the Conditional Use Permit application meets the criteria set forth in Section 10.814.60 and to adopt the findings of fact as amended and read into the record; and 2) to **grant** the Conditional Use Permit with the following **conditions**:

2.1) In accordance with [Sec. 10.814.90] of the Zoning Ordinance, the owner is required to obtain a certificate of use from the Planning Department verifying compliance with all standards of [Sec. 10.814], including the owner-occupancy requirement, and shall renew the certificate of use annually.

2.2) The applicant will use pervious pavement for the reconstruction of the driveway.

The Board's decision may be appealed up to thirty (30) days after the vote. Any action taken by the applicant pursuant to the Board's decision during this appeal period shall be at the applicant's risk. Please contact the Planning Department for more details about the appeals process.

Unless otherwise indicated above, applicant is responsible for applying for and securing a building permit from the Inspection Department prior to starting any project work. All stipulations of approval must be completed prior to issuance of a building permit unless otherwise indicated above. **Prior to issuance of a building permit, this letter of decision shall be recorded at the Rockingham Registry of Deeds.**

A certificate of use issued by the Planning Department is required to verify compliance with the standards of the approval, including the owner-occupancy and principal residence requirements. Said certificate shall be issued by the Planning Department upon issuance of a certificate of occupancy by the Inspection Department and is required to be renewed annually.

This approval shall expire unless a building permit is obtained within a period of one year from the date granted, unless otherwise stated in the conditions of approval. The Planning Board may, for good cause shown, extend such period by as much as one year if such extension is requested and acted upon prior to the expiration.

The Findings of Fact associated with this decision are available: attached here or as an attachment in the Viewpoint project record associated with this application and on the Planning Board Meeting website:

<https://www.cityofportsmouth.com/planportsmouth/planning-board/planning-board-archived-meetings-and-material>

The minutes and audio recording of this meeting are available by contacting the Planning Department.

Very truly yours,

A handwritten signature in black ink, appearing to read "Rick Chellman". The signature is fluid and cursive, with a long horizontal line extending to the right.

Rick Chellman, Chairman of the Planning Board

cc: Shanti Wolph, Chief Building Inspector
Rosann Maurice-Lentz, City Assessor

Arilda Densch, Arilda Design

Findings of Fact | Accessory Dwelling Unit

City of Portsmouth Planning Board

Date: November 17, 2022

Property Address: 225 Wibird Street

Application #: **LU-22-174**

Decision: Grant with Conditions

Findings of Fact: Zoning Ordinance -10.814.60: Before granting a conditional use permit for an attached or detached ADU, the Planning Board shall make the following findings:

10.814.60	Finding	Supporting Information
10.814.61 Exterior design of the ADU is consistent with the existing principal dwelling on the lot.	Meets	<p>The applicant has provided the following details regarding the architecture of the AADU:</p> <ul style="list-style-type: none"> • Clapboard siding to be 4" to match existing. • New window style to match or coordinate with existing historic double hung windows. • New trim and overhangs to match original trim detailing under the existing vinyl and aluminum sheathing • New roofing material to be architectural grade asphalt roofing shingles to match existing. • Applicant proposes a gabled roof for the AADU and the shared connector space consistent with the principal structure. • Roof pitch for AADU is similar to principal structure <ul style="list-style-type: none"> ✓ Principal Structure-11:12 ✓ AADU 9:12
10.814.62 The site plan provides adequate and appropriate open space, landscaping and off-street parking for both the ADU and the primary dwelling.	Meets	<ul style="list-style-type: none"> • The applicant has designated a parking space for the AADU. • The 12,824 lot currently provides 76% open space which will be reduced to 68.6% open space with the addition. • The General Residence A (GRA) district requires 30% open space. • The building expansion proposed by the applicant would bring the parcel's building coverage to 17.08%, closer to but not exceeding the average coverage of surrounding properties (based on review of 16 surrounding properties).
10.814.63 The ADU will maintain a compatible relationship to adjacent properties in terms of location, design, and off-street parking layout, and will not significantly reduce	Meets	<ul style="list-style-type: none"> • The AADU is located to the rear of the principal structure on Wibird. The AADU presents as single family dwelling from the primary entrance on Wibird Street. The existing structure is on a corner lot fronting Wibird and Hawthorn. The view of the AADU from Hawthorn is more discernable as a separate unit but not inconsistent with the extended single family

<p>the privacy of adjacent properties.</p>		<p>residential forms seen in the neighborhood.</p> <ul style="list-style-type: none"> • To the south and west, subject property is separated by a local street. • To the east, the existing structure is 106 feet from the property line with some vegetative buffering. • Proposed construction will be primarily on the south side of the existing structure separated by two driveways to north. • A 118 SF parking space will be provided to accommodate 1 parking space for the ADU.
<p>10.814.64 The ADU will not result in excessive noise, traffic or parking congestion.</p>	<p>Meets</p>	<p>The applicant is proposing one new accessory dwelling unit.</p>
<p>Other Board Findings</p>	<p>The applicant has agreed to utilize pervious pavement for the driveway to reduce drainage impacts associated with new development.</p>	
<p>Conditions of Approval (See attached Letter of Decision)</p>		



CITY OF PORTSMOUTH

Planning Department
1 Junkins Avenue
Portsmouth, New
Hampshire 03801
(603) 610-7216

PLANNING BOARD

November 22, 2022

Betty Ann Fraser
42 Harvard Street
Portsmouth, New Hampshire 03801

RE: Conditional Use Permit and ADU request for property located at 42 Harvard Street (LU-22-176)

Dear Ms. Fraser:

The Planning Board, at its regularly scheduled meeting of Thursday, November 17, 2022, considered your application for Conditional Use Permit Approval as permitted under Section 10814.40 of the Zoning Ordinance to construct an attached Accessory Dwelling Unit. Said property is shown on Assessor Map 259 Lot 30 and lies within the Single Residence B (SRB) District. As a result of said consideration, the Board voted 1) to find that the Conditional Use Permit application meets the criteria set forth in Section 10.814.60 and to adopt the findings of fact as presented; and 2) to **grant** the conditional use permit with a modification to the requirement set forth in section 10.814.41 to not require an interior door between the principal dwelling unit and the accessory dwelling, and to **approve** the Conditional Use Permit with the following **Condition**:

2.1) In accordance with [Sec. 10.814.90] of the Zoning Ordinance, the owner is required to obtain a certificate of use from the Planning Department verifying compliance with all standards of [Sec. 10.814], including the owner-occupancy requirement, and shall renew the certificate of use annually.

The Board's decision may be appealed up to thirty (30) days after the vote. Any action taken by the applicant pursuant to the Board's decision during this appeal period shall be at the applicant's risk. Please contact the Planning Department for more details about the appeals process.

Unless otherwise indicated above, applicant is responsible for applying for and securing a building permit from the Inspection Department prior to starting any project work. All stipulations of approval must be completed prior to issuance of a building permit unless otherwise indicated above. **Prior to issuance of a building permit, this letter of decision shall be recorded at the Rockingham Registry of Deeds.**

A certificate of use issued by the Planning Department is required to verify compliance with the standards of the approval, including the owner-occupancy and principal residence requirements. Said certificate shall be issued by the Planning Department upon issuance of a certificate of occupancy by the Inspection Department and is required to be renewed annually.

This approval shall expire unless a building permit is obtained within a period of one year from the date granted, unless otherwise stated in the conditions of approval. The Planning Board may, for good cause shown, extend such period by as much as one year if such extension is requested and acted upon prior to the expiration.

The Findings of Fact associated with this decision are available: attached here or as an attachment in the Viewpoint project record associated with this application and on the Planning Board Meeting website:

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The minutes and audio recording of this meeting are available by contacting the Planning Department.

Very truly yours,

A handwritten signature in black ink, appearing to read "Rick Chellman". The signature is fluid and cursive, with a large initial "R" and "C".

Rick Chellman, Chairman of the Planning Board

cc: Shanti Wolph, Chief Building Inspector
Rosann Maurice-Lentz, City Assessor

Seth Monkiewicz

Findings of Fact | Accessory Dwelling Unit

City of Portsmouth Planning Board

Date: November 17, 2022

Property Address: 42 Harvard Street

Application #: LU-22-176

Decision: Grant with Conditions

Findings of Fact: Zoning Ordinance -10.814.60: Before granting a conditional use permit for an attached or detached ADU, the Planning Board shall make the following findings:

10.814.60	Finding	Supporting Information
10.814.61 Exterior design of the ADU is consistent with the existing principal dwelling on the lot.	Meets	<p>The applicant has provided the following details regarding the architecture of the AADU:</p> <ul style="list-style-type: none"> • Vinyl siding will match existing siding in style and color (see attached color renderings) • New window style to match or coordinate with existing windows.
10.814.62 The site plan provides adequate and appropriate open space, landscaping and off-street parking for both the ADU and the primary dwelling.	Meets	<ul style="list-style-type: none"> • The applicant has three designated a parking spaces on the site. • Parking configuration, including parking in the front yard, reflects current of use of resident of the AADU who already resides on site. • The home directly across the street provides the parking and driveway directly in front of the front facing garage façade. • The 13,039 SF lot currently provides 79% open space which will not be reduced with the addition of an AADU. • The Single Residence B (SRB) requires a minimum 40% open space.
10.814.63 The ADU will maintain a compatible relationship to adjacent properties in terms of location, design, and off-street parking layout, and will not significantly reduce the privacy of adjacent properties.	Meets	<p>The proposed addition will be a vertical expansion of garage located on the south side of the existing dwelling. No change to the existing footprint is proposed.</p> <ul style="list-style-type: none"> • The nearest structure to the rear (east) of the principal vertical expansion is 175 feet with significant vegetative buffering located along the property line. • The property to the south has a parking garage located 55 ft. from the proposed vertical expansion. The home is approximately 110 ft. away. • Off street parking in the neighborhood is provided in a mix of configurations (some to the side of the principal entrance, some in front). • The off-street parking locations proposed reflect

		<p>current parking utilized by the residents.</p> <ul style="list-style-type: none"> • A variety of residential forms and site layouts are evidenced in the surrounding properties.
10.814.64 The ADU will not result in excessive noise, traffic or parking congestion.	Meets	The applicant is proposing one new accessory dwelling unit for a resident currently residing on site.
<p>Conditions of Approval (See attached Letter of Decision)</p>		