

**BOARD OF ADJUSTMENT MEETING
EILEEN DONDERO FOLEY COUNCIL CHAMBERS
MUNICIPAL COMPLEX, 1 JUNKINS AVENUE
PORTSMOUTH, NEW HAMPSHIRE**

7:00 P.M.

July 18, 2023

ACTION SHEET

MEMBERS PRESENT: David Rheume; Paul Mannle; Thomas Rossi; Jeffrey Mattson; Jody Record, Alternate; ML Geffert, Alternate

MEMBERS EXCUSED: Phyllis Eldridge, Chair; Beth Margeson, Vice Chair

ALSO PRESENT: Stefanie Casella, Planning Department; Jillian Harris, Planning Department

I. VOTE TO APPOINT TEMPORARY CHAIR AND VICE CHAIR

The Board voted to appoint David Rheume as Temporary Chairman.

No action was taken regarding the appointment of a Temporary Vice Chairman.

II. APPROVAL OF MINUTES

A. Approval of the June 21, 2023 minutes.

B. Approval of the June 27, 2023 minutes.

*The Board voted to **approve** the June 21, 2023 and June 27, 2023 minutes with amendments.*

III. OLD BUSINESS

A. Request for rehearing by Jared J Saulnier (Owner), for property located at **4 Sylvester Street** whereas relief is needed to subdivide one lot into two lots which requires the following: Proposed Lot 1: 1) Variances from Section 10.521 to allow a) a lot area and lot area per dwelling of 9,645 square feet where 15,000 is required for each; b) 80 feet of lot depth where 100 feet is required; and c) a 9 foot right side yard where 10 feet is required. Proposed Lot 2: 1) Variances from Section 10.521 to allow a) a lot area and lot area per dwelling unit of 6,421 square feet where 15,000 is required for each; b) 40 feet of street frontage where 100 feet is required; and c) 80 feet of lot depth where 100

feet is required. Said property is located on Assessor Map 232 Lot 36 and lies within the Single Residence B (SRB) District. Application was denied on May 16, 2023. (LU-23-27)

*The Board voted to **deny** the request because the request failed to demonstrate that the Board acted either unlawfully or unreasonably.*

- B.** The request of **Danielle Okula, Dennis Okula, and Irinia Okula (Owners)**, for property located at **2 Sewall Road** whereas relief is needed to Install a 6 foot fence where along the front of the property which requires a Variance from Section 10.515.13 to allow a 6 foot fence where 4 feet is allowed. Said property is located on Assessor Map 170 Lot 22 and lies within the Single Residence B (SRB) District. (LU-23-71)

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

IV. NEW BUSINESS – PUBLIC HEARING

- A.** The request of **Peter Gamble (Owner)**, for property located at **170 Aldrich Road** whereas relief is needed to demolish the existing garage and construct a new garage which requires the following: 1) Variance from Section 10.521 to allow a) 7-foot right side yard where 10 feet is required; and b) 23% building coverage where 20% is allowed. Said property is located on Assessor Map 153 Lot 21 and lies within the Single Residence B (SRB) District. (LU-23-47)

*The Board voted to **deny** the request **without prejudice** so the applicant can solve their legal issues and provide clear facts for the Board to make an informed decision.*

- B.** The request of **John C. Wallen and Jeanine M. Girgenti (Owners)**, for property located at **5 Cleveland Drive** whereas relief is needed to install a 6 foot fence along the primary and secondary front of the property which requires a Variance from Section 10.515.13 to allow a 6 foot fence where 4 feet is allowed. Said property is located on Assessor Map 247 Lot 74 and lies within the Single Residence B (SRB) District. (LU-23-92)

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

- C.** The request of **Thomas P. Rooney (Owner)**, for property located at **29 Spring Street** whereas relief is needed to install one mechanical unit on the left side of the primary structure which require a Variance from Section 10.515.14 to allow a 4-foot left side yard where 10 feet is required. Said property is located on Assessor Map 130 Lot 21 and lies within the General Residence A (GRA) District. (LU-23-93)

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

- D.** The request of **Project No. 9, LLC (Owner)**, for property located at **261 South Street** whereas relief is needed to extend the hours of operation to 7:00 PM and expand the existing restaurant use to include the sale and consumption of wine and beer which requires a Variance from section 10.440 Use #9.41 to allow a restaurant where one is not allowed. Said property is located on Assessor Map 111 Lot 34-2 and lies within the General Residence B (GRB) and Historic Districts. (LU-23-97)

*The Board acknowledged the applicant's request to **withdraw** the application.*

V. OTHER BUSINESS

There was no other business.

VI. ADJOURNMENT

The meeting was adjourned at 8:26 PM