

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

7:00 P.M.

August 15, 2023

**ACTION SHEET**

**MEMBERS PRESENT:** Phyllis Eldridge, Chair; Beth Margeson, Vice Chair; Paul Mannle; Thomas Rossi; Jeffrey Mattson; Jody Record, Alternate

**MEMBERS EXCUSED:** David Rheame; ML Geffert, Alternate

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

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<p><b><u>PLEASE NOTE:</u> DUE TO THE LARGE VOLUME OF AGENDA ITEMS SCHEDULED FOR AUGUST 2023, THE BOARD WILL HOLD A SECOND MEETING ON AUGUST 22, 2023.</b></p>
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*The Board voted to take item III. F. (30 Parker Street postponement request) out of order.*

**I. APPROVAL OF MINUTES**

**A.** Approval of the July 18, 2023 minutes.

*The July 18, 2023 minutes were approved as amended. Vice Chairperson B. Margeson abstained from voting on the July 18, 2023 minutes.*

**B.** Approval of the July 25, 2023 summary.

*The July 25, 2023 minutes were approved as presented.*

**II. OLD BUSINESS**

**A. Ashley Dickenson & Elyse Hambacher – 125 Elwyn Avenue** request a 1-year extension to the variances granted on November 16, 2021. (LU-21-172)

*The Board voted to **approve** the request for a 1-year extension.*

### III. NEW BUSINESS – PUBLIC HEARING

- A. The request of **Alexandra Scott and Scott Scott (Owners)**, for property located at **271 Sagamore Avenue** whereas relief is needed to demolish the existing detached garage and construct an addition with attached garage which requires the following: 1) Variance from section 10.521 to allow a) 0.5 foot (6 inch) right yard where 10 feet is required; and b) 28% building coverage where 25% is maximum. Said property is located on Assessor Map 221 Lot 15 and lies within the General Residence A (GRA) District. (LU-23-103)

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

- B. The request of **Tanner Family Revocable Trust (Owners)**, for property located at **380 Greenleaf Avenue** whereas relief is needed to construct a detached garage which requires a Variance from Section 10.571 to allow an accessory structure to be located closer to a street than the principal building. Said property is located on Assessor Map 243 Lot 63 and lies within the Single Residence B (SRB) District. (LU-23-62)

*Member D. Rheaume recused from the vote.*

*The Board voted to **approve** the request with the following **condition**:*

- 1) *The approval is contingent upon the Planning Board granting a Wetland Conditional Use Permit.*

- C. The request of **Carl Douglas Overn and Tatiana Overn (Owners)**, for property located at **40 Wilson Road** whereas relief is needed to construct a sunroom and deck expansion at the rear of the property which requires the following: 1) Variance from Section 10.521 to allow an eight (8) foot rear yard where 30 feet are required; and 2) 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 251 Lot 57 and lies within the Single Residence B (SRB) District. (LU-23-114)

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

- D. The request of **Go-Lo Inc. c/o Labrie (Owner)**, for property located at **2059 Lafayette Road** whereas relief is needed to demolish the existing structure and construct a two-story residential building containing 16 living units which requires the following: 1) Variance from Section 10.1113.20 to allow parking to be located in front of the principal building; 2) Variance from Section 10.533 to allow a structure to be located 58 feet from the centerline of Lafayette Roads where 80 feet is required; 3) Variance from Section 10.521 to allow 1,715 square feet of lot area per dwelling unit where 7,500 square feet is required; and 4) Variance from Section 10.440 Use #1.53 to allow 16 units where eight (8) are permitted. Said property is located on Assessor Map 268 Lot 13 and lies within the Mixed Residential (MRB) District. (LU-23-116)

*The Board voted to **deny** the request because the proposal did not observe the spirit of the ordinance and did not present a hardship.*

- E. The request of **Creeley Family Trust, Sean Creeley and Andrea Creeley Trustees (Owners)**, for property located at **337 Richards Avenue** whereas relief is needed to demolish the existing detached garage and construct an addition and attached garage to the primary structure which requires a Variance from Section 10.521 to allow a one and a half (1.5) foot rear yard where 20 feet is required. Said property is located on Assessor Map 130 Lot 2 and lies within the General Residence A (GRA) District. (LU-23-113)

*The Board voted to **deny** the request because the proposal did not meet the hardship criteria.*

- F. The request of **Kathryn Waldwick and Bryn Waldwick (Owners)**, for property located at **30 Parker Street** whereas relief is needed to demolish and remove the existing shed and covered porch and construct a new attached shed with a covered porch which requires the following: 1) Variance from section 10.521 to permit a) 45% building coverage where 35% is allowed, b) one and a half (1.5) foot right side yard where 10 feet is required, and c) two (2) foot rear yard where 20 feet is required; and 2) 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 126 Lot 27 and lies within the General Residence C (GRC) District. (LU-23-117)

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

**THE FOLLOWING PETITIONS WILL BE HEARD ON TUESDAY, AUGUST 22, 2023**

1. The request of **Islamic Society of the Seacoast Area ISSA (Owners)**, for property located at **686 Maplewood Avenue**
2. The request of **Karyn S. DeNicola Rev Trust, Karen DeNicola Trustee (Owner)**, for property located at **281 Cabot Street**
3. The request of **Novocure Inc. (Owner)**, for property located at **64 Vaughan Street**
4. The request of **Cynthia Austin Smith and Peter Smith (Owners)**, for property located at **9 Kent Street**
5. The request of **Caleb E. Ginsberg and Samantha L. Ginsberg (Owners)**, for property located at **303 Bartlett Street**

**IV. OTHER BUSINESS**

*There was no other business.*

**V. ADJOURNMENT**

*The meeting was adjourned at 10:49 PM*