

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

7:00 P.M.

August 22, 2023

ACTION SHEET

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

MEMBERS EXCUSED: ML Geffert, Alternate

ALSO PRESENT: Jillian Harris, Planning Department

Notes: Alternate Ms. Record took a voting seat for all petitions.

Chair Eldridge stated that the applicant for Item E, 303 Bartlett Street, requested a postponement.

*D. Rheame moved to **suspend** the rules by pulling Item E, 303 Bartlett Street, out of order. P. Mannle seconded. The motion **passed** unanimously, 7-0.*

*P. Mannle moved to **postpone** the petition to the September 19 meeting, seconded by T. Rossi. The motion **passed** unanimously, 7-0.*

I. NEW BUSINESS – PUBLIC HEARING

- A.** The request of **Islamic Society of the Seacoast Area ISSA (Owners)**, for property located at **686 Maplewood Avenue** whereas relief is needed to construct 6 single living unit structures which requires the following: 1) Variance from Section 10.520 to permit 10,462 square feet of lot area per dwelling unit where 15,000 if required; and 2) Variance from Section 10.513 to permit six (6) free standing buildings where only one (1) is permitted. Said property is located on Assessor Map 220 Lot 90 and lies within the Single Residence B (SRB) District (LU-23-57)

*The Board voted to **grant** the variances for the application as presented and advertised.*

Motion: Rheame; Rossi.

- B.** The request of **Karyn S. DeNicola Rev Trust, Karen DeNicola Trustee (Owner)**, for property located at **281 Cabot Street** whereas relief is needed for a variance from Section

10.521 to allow a) three (3) foot front yard where five (5) feet is required, b) three and a half (3.5) foot left side yard where ten (10) feet is required, and c) 36% building coverage where 35% is allowed; and 2) Variance from Section 10.515.14 to allow two (2) mechanical units to be located 7 feet from the property line where 10 feet is required. Said property is located on Assessor Map 144 Lot 20 and lies within the General Residence C (GRC) District. (LU-23-84)

*The Board voted to **grant** the variances for the application as presented and advertised.*

***Motion:** Rheame; Mattson*

- C.** The request of **Novocure Inc. (Owner)**, for property located at **64 Vaughan Street** whereas relief is needed to construct a penthouse which requires Variances from Sections 10.5A43.30 and 10.5A21.B (Map) to allow a maximum height of 47 feet where 42 is allowed. Said property is located on Assessor Map 126 Lot 1 and lies within the Character District 5 (CD5) and North End Incentive Overlay District. (LU-20-214)

*The Board voted to **grant** the variances for the application as presented and advertised.*

***Motion:** Rossi; Mattson*

- D.** The request of **Cynthia Austin Smith and Peter Smith (Owners)**, for property located at **9 Kent Street** whereas relief is needed to demolish the existing two (2) living unit structure and construct a one (1) living unit structure which requires a Variance from Section 10.521 to allow a) 5,000 square feet of lot area where 7,500 square feet are required and b) 5,000 square feet of lot area per dwelling unit where 7,500 square feet are required. Said property is located on Assessor Map 113 Lot 42 and lies within the General Residence A (GRA) District. (LU-23-119)

***Motion:** P. Mannle moved to **deny** the petition, seconded by T. Rossi. The motion to deny **failed**.*

*The Board voted to **continue** the application to the September 19, 2023 meeting.*

***Motion:** Margeson; Mattson*

- E. REQUEST TO POSTPONE** The request of **Caleb E. Ginsberg and Samantha L. Ginsberg (Owners)**, for property located at **303 Bartlett Street** whereas relief is needed to demolish the existing detached garage and construct an addition with attached garage which requires a Variance from Section 10.521 to allow a) seven (7) foot left yard where ten (10) feet is required, and b) two (2) foot right yard where ten (10) feet are required. Said property is located on Assessor Map 162 Lot 13 and lies within the General Residence A (GRA) District. **REQUEST TO POSTPONE** (LU-23-120)

*The application was **postponed** to the September 19, 2023 meeting.*

II. OTHER BUSINESS

There was no other business.

III. ADJOURNMENT

The meeting adjourned at 11:40 p.m.