

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

7:00 P.M.

May 23, 2023

**ACTION SHEET**

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

**MEMBERS EXCUSED:** David Rheaume

**ALSO PRESENT:** Stefanie Casella, Planning Department

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**AGENDA**

**THE BOARD WILL BE VOTING TO POSTPONE CONSIDERATION OF THE FOLLOWING ITEMS TO THE MAY 23, 2023 BOARD OF ADJUSTMENT MEETING.**

*The Board voted to take Item E for Petition 686 Maplewood Avenue out of order.*

*The Board voted to **postpone** Item G until the June 20 meeting.*

**I. NEW BUSINESS** *(Continued from May 16, 2023)*

- 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 take the petition out of order and move it further down the agenda.*

*The Board voted to **deny** the request because the proposal failed to observe the spirit of the ordinance and would be contrary to the public interest because the home is in an area of single-family dwellings and the design isn't consistent with continuing to use the property as a single-family dwelling one.*

- B.** The request of **Shawn Bardong and Michiyo Bardong (Owner)**, for property located at **39 Dearborn Street** whereas relief is needed to demolish the existing shed and construct a two-story addition which requires the following: 1) Variance from Section 10.521 to allow a) 5 foot front yard where 15 feet is required; and b) 2 foot right side yard where 10 feet is required. 2) 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 140 Lot 3 and lies within the General Residence A (GRA) and Historic District. (LU-23-5)

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

*The Board voted to **re-open** the public hearing for Petition A.*

- C.** The request of **Thomas Rooney (Owner)**, for property located at **29 Spring Street** whereas relief is needed to install two mechanical units in the rear of the primary structure which require the following 1) Variance from Section 10.515.14 to allow a) 7-foot side yard where 10 feet is required; and b) 4 foot rear yard where 10 is required. Said property is located on Assessor Map 130 Lot 21 and lies within the General Residence A (GRA) District. (LU-23-55)

*\*Please note the original notice had an error. The mechanical units are proposed to be located in the rear of the primary structure not the garage as previously advertised. \**

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

- 1) Both mechanical units shall be located in the rear of the primary structure as indicated in the applicant's submission materials.*

*The Board voted to **continue** the agenda in order.*

- D.** The request of **Scott Day and Marta Day (Owners)**, for property located at **18 Walden Street** whereas relief is needed to install a mechanical unit which requires a variance from Section 10.515.14 to allow a) 4 foot side yard where 10 feet is required; and b) 2 foot front yard where 10 feet is required. Said property is located on Assessor Map 101 Lot 20 and lies within the General Residence B (GRB) and Historic District. (LU-23-52)

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

- E. REQUEST TO POSTPONE TO JUNE** The request of **The Islamic Society of the Seacoast Area ISSA (Owner)**, and **Chinburg Development, LLC (Applicant)**, for property located at **686 Maplewood Avenue** whereas relief is needed to construct four (4) duplexes and one (1) single living unit to create a total of nine (9) living units which requires the following: 1) Variance from Section 10.440, Use # 1.30 to permit four (4) two-family unit structures where they are not permitted, 2) Variance from Section 10.513 to permit five (5) free standing buildings with dwellings where not more than one is permitted, 3) Variance from Section 10.520 to allow a) 6,975 square feet of lot area per dwelling unit where 15,000 square feet is required; and b) 47 feet of frontage where 100

feet is required. Said property is located on Assessor Map 220 Lot 90 and lies within the Single Residence B (SRB) District and the Highway Noise Overlay District. **REQUEST TO POSTPONE TO JUNE (LU-23-57)**

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

- F.** The request of **Carl Krukoff (Owner)**, for property located at **3360 Lafayette Road** whereas relief is needed to convert a two bay garage into a third living unit which requires the following: 1) Variance from 10.521 to allow 8,002.5 square feet per dwelling unit where 15,000 square feet is required, 2) Variance from 10.331 to allow a non-conforming use to be extended or enlarged without conforming to the requirements of the Zoning Ordinance, 3) Variance from section 10.440 Use #1.51 to allow three (3) dwelling units where one (1) is permitted. Said property is located on Assessor Map 297 Lot 12 and lies within the Single Residence B (SRB) District. (LU-23-59)

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

- G.** The request of **John Heath and Michael Meserve (Owners)**, for property located at **955 Woodbury Avenue** whereas relief is needed to construct a shed 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 219 Lot 33 and lies within the Single Residence B (SRB) District. (LU-23-56)

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

- H.** The request of **Shantar Zuidema and Abby Zuidema (Owners)**, for property located at **126 Burkitt Street** whereas relief is needed to demolish the existing 10 foot by 16 foot deck and replace with a 6 foot by 4 foot enclosed porch which requires the following: 1) Variance from Section 10.521 to allow a 6 foot right side yard where 10 feet is required, and 2) 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 159 Lot 28 and lies within the General Residence A (GRA) District. (LU-23-61)

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

## **II. OTHER BUSINESS**

*There was no other business.*

## **III. ADJOURNMENT**

*The meeting was adjourned at 9:25 PM*