



Civil Engineers
Structural Engineers
Traffic Engineers
Land Surveyors
Landscape Architects
Scientists



City of Portsmouth Wetlands Conditional Use Permit Application

September 30, 2024

Samantha Collins, Chair, and Conservation Commission Members
1 Junkins Ave
Portsmouth, NH 03801

**Re: Wetlands Conditional Use Permit Application
39 Dearborn Street, Portsmouth NH - Tax Map: 140 Lot: 3
Project #47617.00**

Dear Ms. Collins,

On behalf of TFMoran Inc. a City of Portsmouth Wetlands Conditional Use Permit Application was filed for the above referenced property. The property owner's Shawn & Michiyo Bardong have proposed an expansion to their existing dwelling, and other related site improvements. The proposed expansion is the construction of a two-story family room, a mudroom, and a sewer connection. Removal of the existing shed is required as the footprint of the proposed addition overlaps this area. Further, portions of the existing driveway will be removed to ensure a net-decrease in impervious area on the lot. Driveway areas to be removed will be converted to pervious lawn.

The subject lot is unique as it exists almost entirely (99.4% of the lot) within the 100' tidal wetland buffer area. Within the wetland buffer area, the vegetation present consists primarily of grass lawn, with a few native plant species scattered around the edge of the property. When approaching the tidal resource, North Mill Pond, salt marsh and mud flat areas are observed, consisting primarily of salt tolerant grasses. Invasive species were not observed during the brief site visit as the lot is mostly developed.

As the property exists, 30.3% is paved/developed (3,399 Sq. Ft./11,236 S.F. * 100=30.3% Impervious). The proposed site improvements would lower the impervious coverage of the lot to 30.1% (3,392 S.F. / 11,236 S.F. * 100=30.1% Impervious), resulting in an overall decrease in impervious area.

TFMoran, Inc.
48 Constitution Drive, Bedford, NH 03110
T(603) 472-4488 www.tfmoran.com



TFMoran, Inc. Seacoast Division
170 Commerce Way-Suite 102, Portsmouth, NH 03801
T(603) 431-2222



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Addressing the Criteria for Approval outlined in section **10.1017.50**:

(1) The land is reasonably suited to the use, activity or alteration.

The project site exists as a developed residential lot which is suitable for the proposed improvements.

(2) There is no alternative location outside the wetland buffer that is feasible and reasonable for the proposed use, activity or alteration.

The lot exists almost entirely within the 100 ft tidal buffer zone. The proposed home addition is the furthest distance from the wetland resource.

(3) There will be no adverse impact on the wetland functional values of the site or surrounding properties.

There are no impacts proposed to the wetland resource and surrounding properties will not be affected because of this project. Stormwater management features will be implemented to preserve the resource.

(4) Alteration of the natural vegetative state or managed woodland will occur only to the extent necessary to achieve construction goals; and

No alteration of the natural vegetative state is proposed.

(5) The proposal is the alternative with the least adverse impact to areas and environments under the jurisdiction of this Section.

This project is the least impacting alternative and there is no increase in impervious area.

(6) Any area within the vegetated buffer strip will be returned to a natural state to the extent feasible.

Impacted areas within the vegetated buffer strip will be returned to lawn or reseeded with a native conservation seed mix.

Sincerely,

TFMoran, Inc.

Luke Taylor,
Environmental Permitting Specialist

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Letter of Authorization

I, Shawn P Bardong, hereby authorize TFMoran, Inc., 170 Commerce Way, Suite 102, Portsmouth, NH 03801, to act on my behalf concerning the property at 39 Dearborn Street, Portsmouth, NH 03801, known as Tax Map 140, Lot 3.

I hereby appoint TFMoran, Inc, as my agent to act on my behalf in the review process, to include any required signatures.

Client
 Name:
 Title:

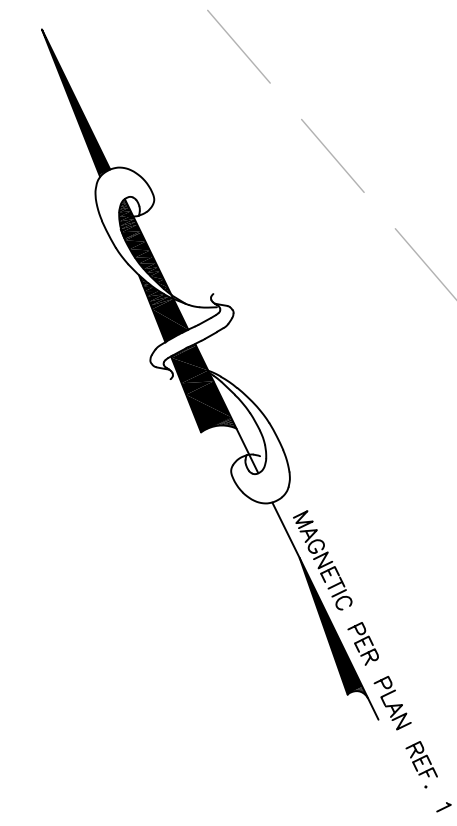
25-Sep-2024

Date

Witness

Date



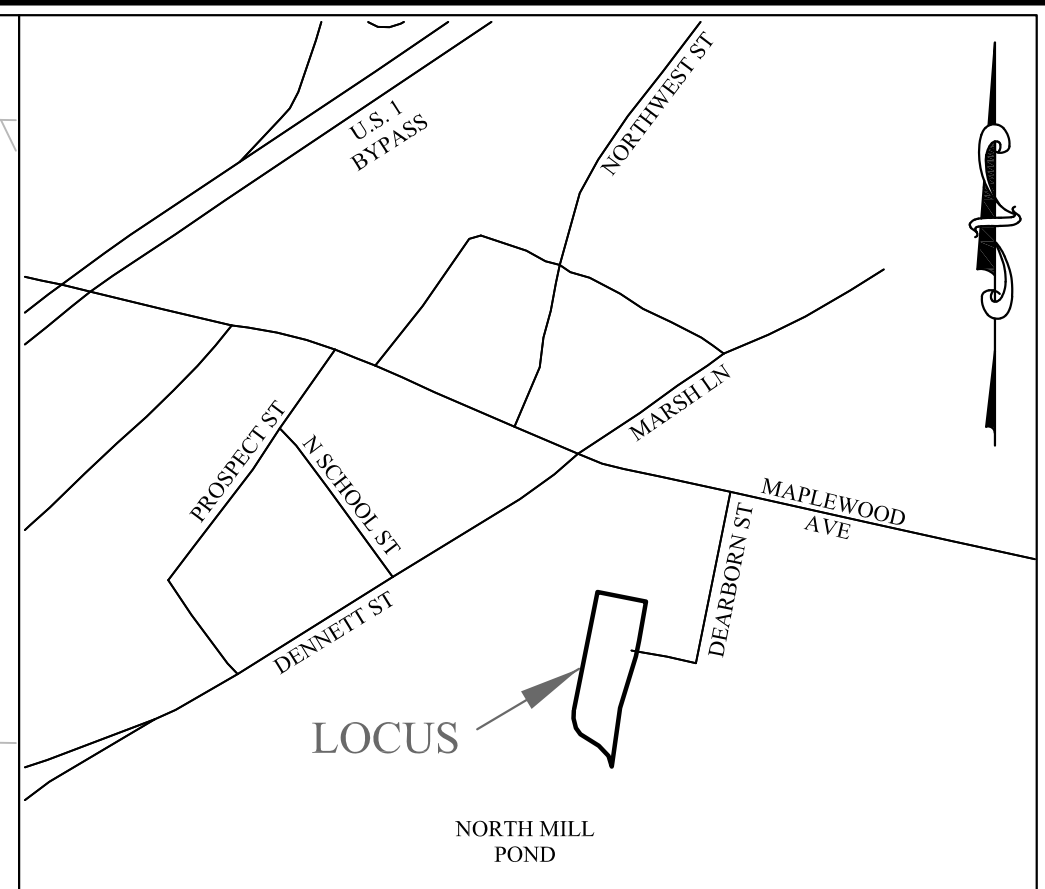
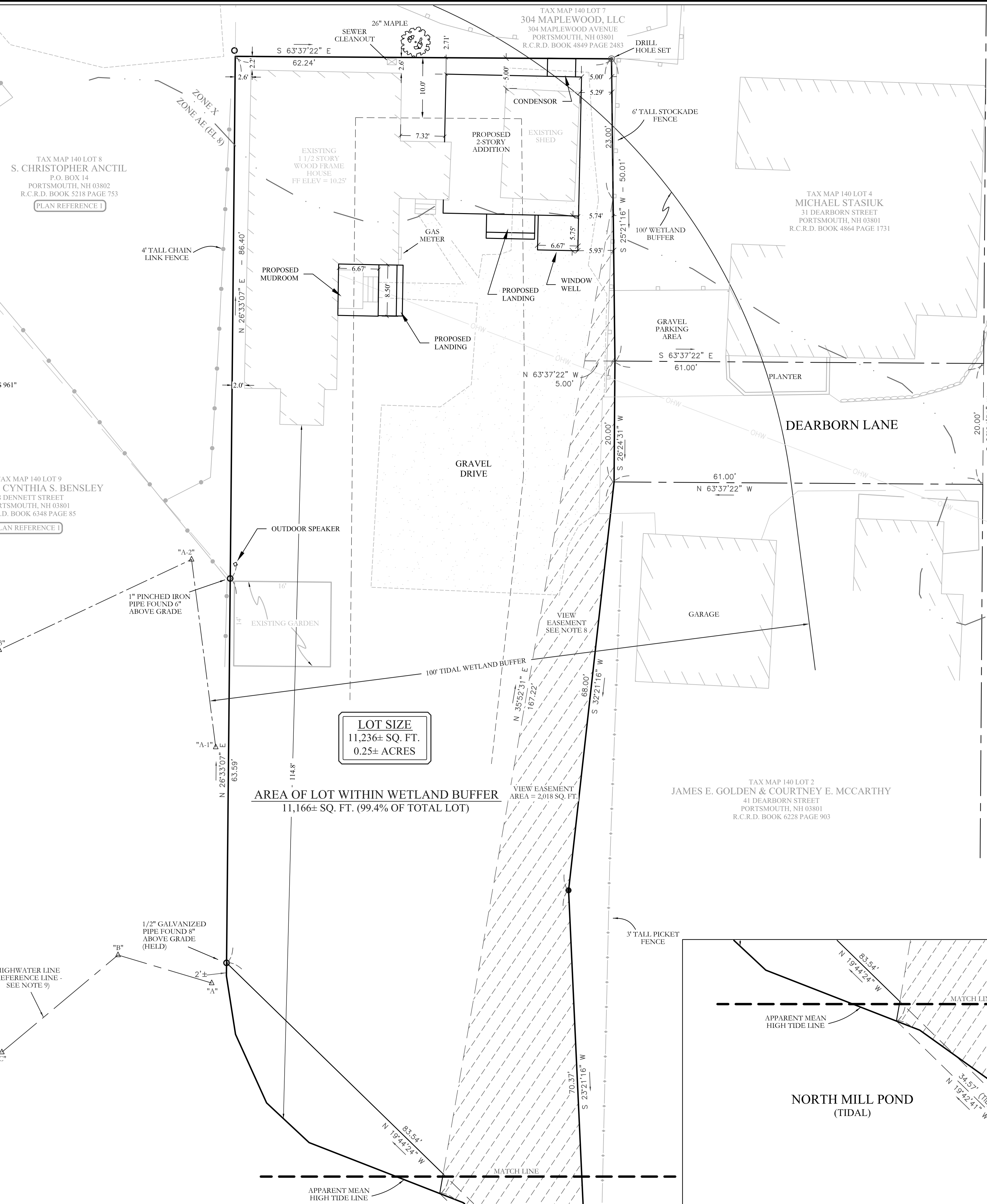


LEGEND

- — IRON PIPE/ROD FOUND
- ⊙ — DRILL HOLE SET
- ◆ — CORNER - NOTHING FOUND/SET
- — IRON ROD SET WITH IDENTIFICATION CAP "LLS 961" UNLESS OTHERWISE NOTED ON PLAN
- ⊕ — UTILITY POLE
- — BOUNDARY LINE
- — BUILDING SETBACK LINE
- — ABUTTER LINE
- — OVERHEAD WIRES
- — RIGHT-OF-WAY
- — STONE WALL
- — EDGE OF GRAVEL
- — FLOOD ZONE BOUNDARY (SEE NOTE 7)
- — EDGE OF WATER
- — WETLAND BOUNDARY
- — VIEW EASEMENT

BUILDING FOOTPRINT AREAS			
STRUCTURE	EXISTING AREA (SF)	PROPOSED AREA (SF)	NOTES
EXISTING HOUSE	1,232.5		
EXISTING SHED	221.8		
MUDROOM AND LANDING (PROPOSED)	36.4	54.1	PROPOSED AREA EXCLUDES EXISTING LANDING AND STEPS
FAMILY ROOM (PROPOSED)		368.4	PROPOSED AREA EXCLUDES EXISTING SHED. INCLUDES LANDING, WINDOW WELL, AND CONDENSOR PAD
TOTALS	1,490.7	422.5	

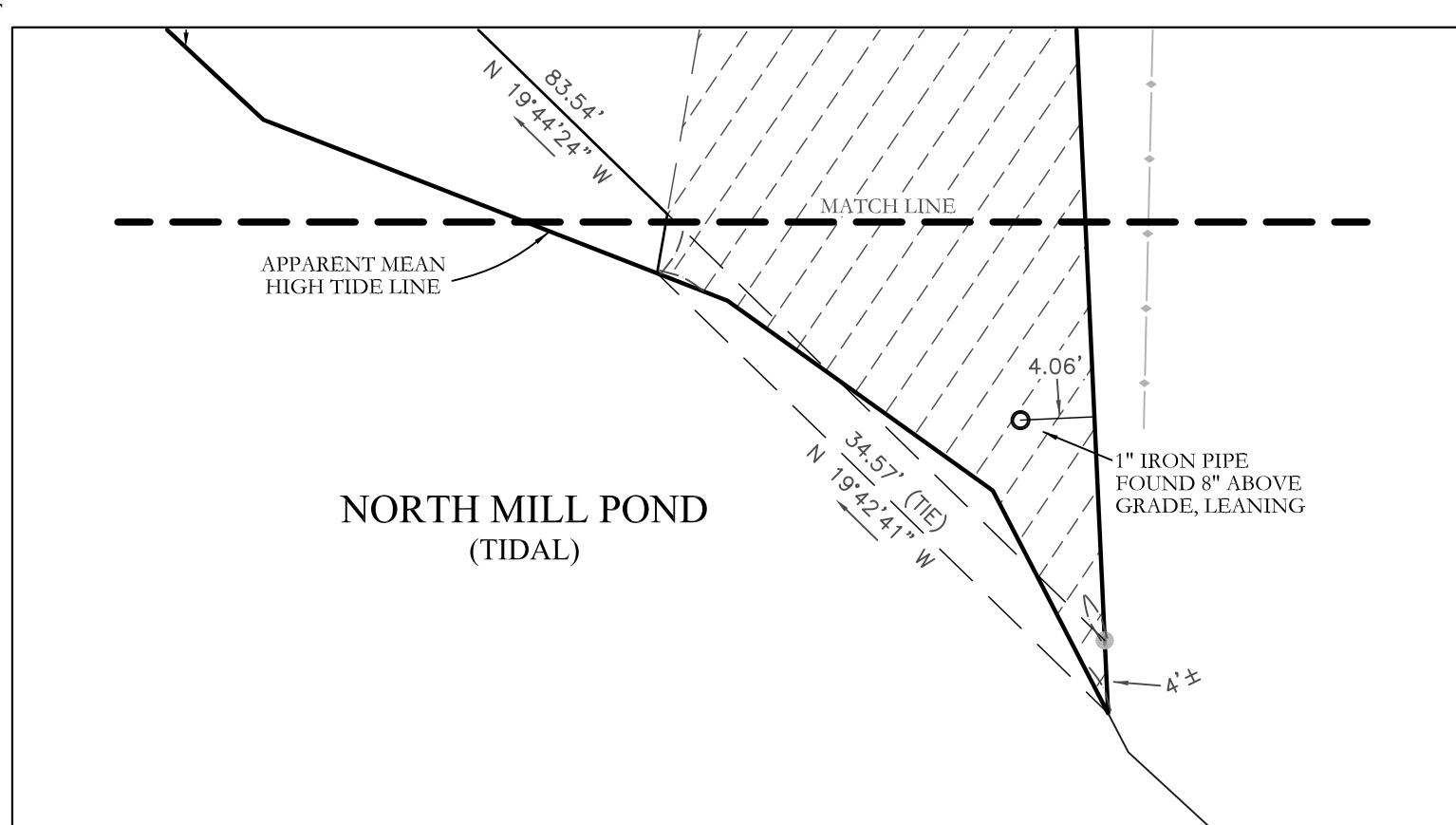
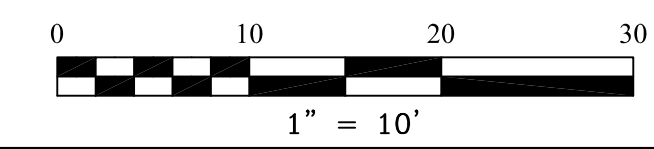
LOT COVERAGE	
LOT AREA (SF)	11,236.0
TOTAL PROPOSED BUILDING AREA (SF)	1,937.0
PROPOSED BUILDING COVERAGE	17.2%
ALLOWABLE BUILDING COVERAGE	25%



LOCATION MAP
SCALE: 1" = 400'

- NOTES:**
- REFERENCE: TAX MAP 140 LOT 3 R.C.R.D. BOOK 6450 PAGE 552 R.C.R.D. PLAN D-37444
 - TOTAL PARCEL AREA: 11,236 SQ. FT. OR 0.25 AC.
 - OWNER OF RECORD: SHAWN & MICHIO BARDONG 39 DEARBORN STREET PORTSMOUTH, NH 03801
 - ZONE: GRA - GENERAL RESIDENCE A DIMENSIONAL REQUIREMENTS:
 MINIMUM LOT AREA 7,500 SQ. FT.
 MINIMUM FRONTAGE 100 R.
 MINIMUM FRONT SETBACK 15 R.
 MINIMUM SIDE SETBACK 10 R.
 MINIMUM REAR SETBACK 20 R.
 MAXIMUM STRUCTURE HEIGHT 35 R.
 - FIELD SURVEY PERFORMED BY S.D.B. ON 12/1/2022 USING A SPECTRA FOCUS 35 ROBOTIC TOTAL STATION. TRAVERSE ADJUSTMENT IS BASED ON THE COMPASS RULE METHOD OF ADJUSTMENT.
 - HORIZONTAL DATUM IS MAGNETIC BASED ON PLAN REFERENCE 1.
 - A PORTION OF THIS LOT FALLS WITHIN FLOOD ZONE AE AND ZONE X AS SHOWN ON NATIONAL FLOOD INSURANCE PROGRAM MAP NUMBER 33015C0259F, EFFECTIVE DATE JANUARY 29, 2021.
 - VIEW EASEMENT FOR THE BENEFIT OF TAX MAP 140 LOT 4, TO REMAIN FREE OF ALL TEMPORARY OR PERMANENT STRUCTURES INCLUDING BUT NOT LIMITED TO SHEDS, BUILDINGS, EQUIPMENT, VEHICLE STORAGE OR PARKING, OR OTHER SIMILAR OBSTRUCTIONS OF THE VIEW CORRIDOR.
 - TIDAL WETLANDS AND HIGHWATER REFERENCE LINE WERE DELINEATED BY PATRICK D. SEEKAMP, P.W.S., C.W.S. OF SEEKAMP ENVIRONMENTAL CONSULTING.
 - THE INTENT OF THIS PLAN IS TO SHOW A BUILDING ADDITION IN REFERENCE TO THE BOUNDARY OF RECORD.

- PLAN REFERENCES:**
- PLAN TITLED "LOT LINE RELOCATION PLAN FOR JOHN J. & CATHERINE PAUSON AND HAROLD C. & ASTRID LOUISE PASSER, 12-28 DENNETT STREET" DATED NOVEMBER 30, 1983, PREPARED BY RICHARD P. MILLETTE AND ASSOCIATES, R.C.R.D. PLAN D-12123.
 - PLAN TITLED "BOUNDARY LINE ADJUSTMENT FOR MICHAEL J. & DIANE REGAN, MAPLEWOOD AVENUE, PORTSMOUTH, NH" DATED SEPT. 1997, PREPARED BY EMERY ENGINEERING, R.C.R.D. PLAN C-27772.
 - PLAN TITLED "PLAN OF LAND PREPARED FOR MICHAEL BRANDZEL & HELEN LONG" DATED OCTOBER 1, 2012, PREPARED BY THIS OFFICE, R.C.R.D. PLAN D-37444.



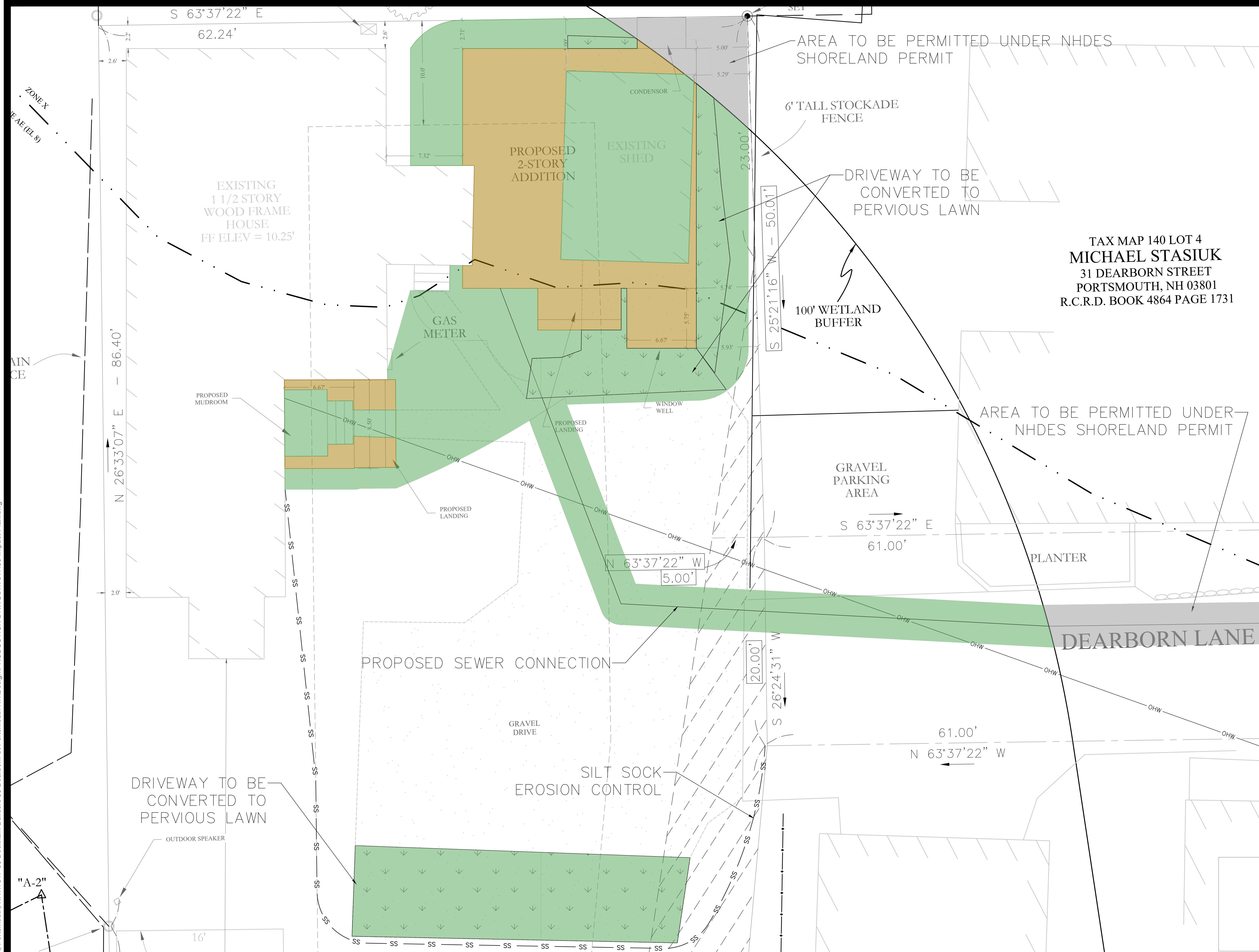
SITE PLAN
LAND OF
SHAWN & MICHIO BARDONG
(TAX MAP 140 LOT 3)
39 DEARBORN STREET
PORTSMOUTH, NH

DRAWN BY: SDB	DATE: JUNE 1, 2023
CHECKED BY: ARB	DRAWING NAME: 22039B6
JOB NAME: 22039	SHEET: C1

SCOTT D. BOUDREAU
LAND SURVEYOR

Boudreau Land Surveying P.L.L.C.
SCOTT D. BOUDREAU, L.L.S. #961
2 BEATRICE LANE
NEWMARKET, NH 03857
(603) 659-3468

Sep 25, 2024 - 1:38pm F:\MISC Projects\47617 Dearborn St, Portsmouth, NH\47617-00 Dockham Builders 36 Dearborn St Portsmouth NH\Design\PRODUCTION DRW\GS47617-00-Impact-Plan.dwg



SITE DATA

OWNER OF RECORD OF MAP 140 LOT 3: SHAWN & MICHIO BARDONG
DEED REFERENCE TO PARCEL IS BK 6450 PG 552.
AREA OF PARCEL = 11,236± SF OR 0.25± ACRES

ZONED: GENERAL RESIDENCE A (GRA)
EXISTING USE: SINGLE FAMILY RESIDENTIAL
PROPOSED USE: SINGLE FAMILY RESIDENTIAL

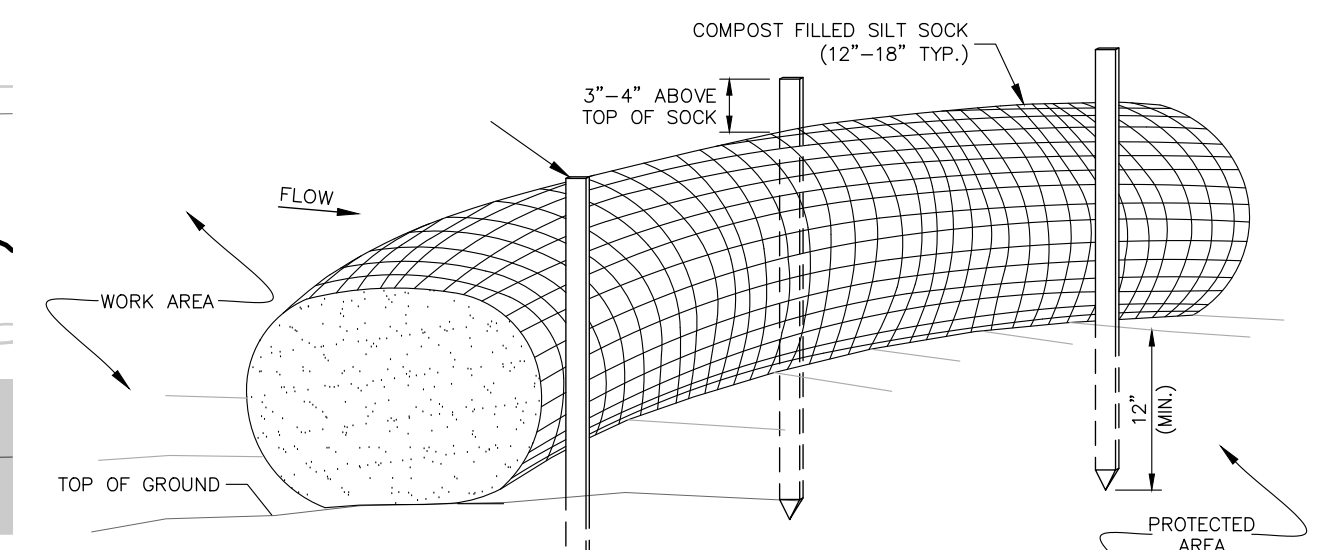
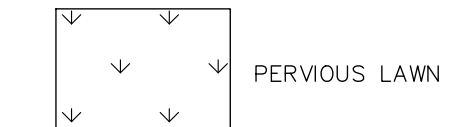
THE PURPOSE OF THIS PLAN IS TO DEPICT THE IMPACTS ASSOCIATED WITH THE PROPOSED TWO-STORY DWELLING ADDITION, MUDROOM AREA AND SEWER CONNECTION.

NOTES

NO WATERFRONT BUFFER 25X50-FOOT GRID SEGMENT TREE AND SAPLING POINT SCORE WILL BE REDUCED BELOW THE MINIMUM REQUIRED TREE AND SAPLING POINT SCORE ESTABLISHED WITHIN RSA 483-B, V(a)(D)(i). FURTHERMORE, THERE ARE NO TREES OR SAPLINGS TO BE CUT IN THE 50' WATERFRONT BUFFER.

IMPACT AREA	
	PROPOSED TEMPORARY IMPACTS JURISDICTIONAL UNDER NH WETLAND LAW 1,361 S.F.
	PROPOSED PERMANENT IMPACTS JURISDICTIONAL UNDER NH WETLAND LAW 391 S.F.

LEGEND



NOTES

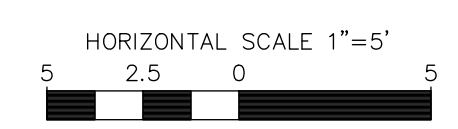
- SILT SOCK SHALL BE FILTREXXSM SILT SOCKTM OR APPROVED EQUIVALENT.
- SEE SPECIFICATIONS FOR SOCK SIZE AND COMPOST FILL REQUIREMENTS.
- SILT SOCK SHALL BE INSPECTED PERIODICALLY AND AFTER ALL STORM EVENTS, AND REPAIR OR REPLACEMENT SHALL BE PERFORMED AS NEEDED.
- COMPOST MATERIAL SHALL BE DISPERSED ON SITE, AS DETERMINED BY THE ENGINEER.

NOT TO SCALE

SILT SOCK

SITE DEVELOPMENT PLANS

TAX MAP 140 LOT 3
WETLAND IMPACT PLAN
BARDONG RESIDENCE
39 DEARBORN STREET, PORTSMOUTH NH
OWNED BY
SHAWN & MICHIO BARDONG
PREPARED FOR
DOCKHAM BUILDERS, LLC
1"=10' (11"X17")
SCALE: 1"=5' (22"X34") SEPTEMBER 16, 2024



REV	DATE	DESCRIPTION	DR	CK

TFM	Civil Engineers	48 Constitution Drive
	Structural Engineers	Bedford, NH 03110
	Traffic Engineers	Phone (603) 472-4488
	Land Surveyors	Fax (603) 472-9747
	Landscape Architects	www.tfmoran.com
	Scientists	

FILE: 47617.00	DR: LST	FB: -	C-01
CK: JRA	CADFILE: IMPACT-PLAN		

Oct 02, 2024 - 12:55pm
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SITE DATA

OWNER OF RECORD OF MAP 140 LOT 3: SHAWN & MICHIO BARDONG
DEED REFERENCE TO PARCEL IS BK 6450 PG 552.
AREA OF PARCEL = 11,236± SF OR 0.25± ACRES

ZONED: GENERAL RESIDENCE A (GRA)
EXISTING USE: SINGLE FAMILY RESIDENTIAL
PROPOSED USE: SINGLE FAMILY RESIDENTIAL

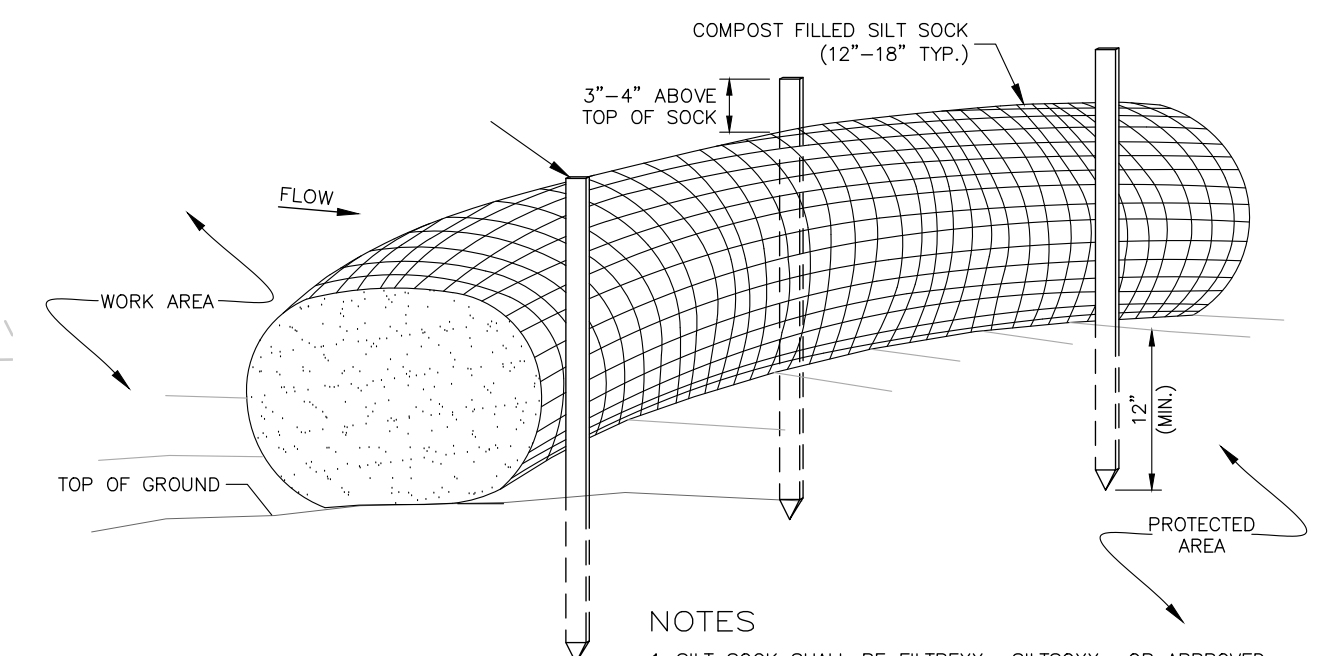
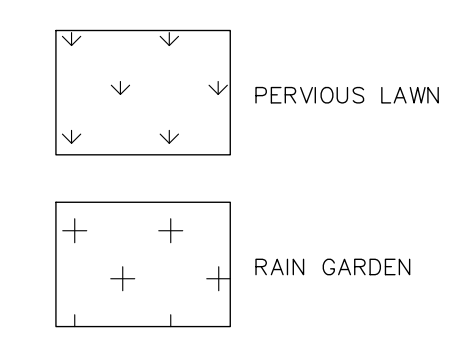
THE PURPOSE OF THIS PLAN IS TO DEPICT THE IMPACTS ASSOCIATED WITH THE PROPOSED TWO-STORY DWELLING ADDITION, MUDROOM AREA AND SEWER CONNECTION.

NOTES

NO WATERFRONT BUFFER 25X50-FOOT GRID SEGMENT TREE AND SAPLING POINT SCORE WILL BE REDUCED BELOW THE MINIMUM REQUIRED TREE AND SAPLING POINT SCORE ESTABLISHED WITHIN RSA 483-B, V(O)(D)(G). FURTHERMORE, THERE ARE NO TREES OR SAPLINGS TO BE CUT IN THE 50' WATERFRONT BUFFER.

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	PROPOSED PERMANENT IMPACTS JURISDICTIONAL UNDER NH WETLAND LAW 391 S.F.

LEGEND

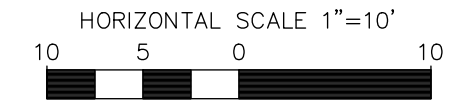


- NOTES**
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 - COMPOST MATERIAL SHALL BE DISPERSED ON SITE, AS DETERMINED BY THE ENGINEER.

SILT SOCK

NOT TO SCALE

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This plan is not effective unless signed by a duly authorized officer of TFMoran, Inc.



REV	DATE	DESCRIPTION	DR	CK

SITE DEVELOPMENT PLANS

TAX MAP 140 LOT 3
WETLAND IMPACT PLAN
BARDONG RESIDENCE
39 DEARBORN STREET, PORTSMOUTH NH
OWNED BY
SHAWN & MICHIO BARDONG
PREPARED FOR
DOCKHAM BUILDERS, LLC
1"=20' (11"X17")
SCALE: 1"=10' (22"X34') **SEPTEMBER 16, 2024**

TFM	Civil Engineers	48 Constitution Drive
	Structural Engineers	Bedford, NH 03110
	Traffic Engineers	Phone (603) 472-4488
	Land Surveyors	Fax (603) 472-9747
	Landscape Architects	www.tfmoran.com
	Scientists	

F I L E: 47617.00	DR LST FB		
CK JRA CADFILE	IMPACT-PLAN		C-01

Sep 25, 2024 - 11:52am
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 PROPOSED USE: SINGLE FAMILY RESIDENTIAL
 THE PURPOSE OF THIS PLAN IS TO DEPICT THE IMPACTS ASSOCIATED WITH THE PROPOSED TWO-STORY DWELLING ADDITION, MUDROOM AREA AND SEWER CONNECTION.

NOTES

SEE WETLAND IMPACT PLAN FOR EROSION CONTROL
 NO WATERFRONT BUFFER 25X50-FOOT GRID SEGMENT TREE AND SAPLING POINT SCORE WILL BE REDUCED BELOW THE MINIMUM REQUIRED TREE AND SAPLING POINT SCORE ESTABLISHED WITHIN RSA 483-B, VC(D)(1). FURTHERMORE, THERE ARE NO TREES OR SAPLINGS TO BE CUT IN THE 50' WATERFRONT BUFFER.

IMPACT AREA

	PROPOSED TEMPORARY IMPACTS JURISDICTIONAL UNDER NH WETLAND LAW	203 S.F.
	PROPOSED PERMANENT IMPACTS JURISDICTIONAL UNDER NH WETLAND LAW	21 S.F.

PRE-CONSTRUCTION IMPERVIOUS AREA WITHIN 250' OF REFERENCE LINE

PRIMARY STRUCTURE	1,233 S.F.
SHED	222 S.F.
DRIVEWAY	1,908 S.F.
MUDROOM AND LANDING	36 S.F.
TOTAL	3,399 S.F.
IMPERVIOUS COVERAGE WITHIN 250' OF REFERENCE LINE = 30.3% (3,399 S.F. / 11,236 S.F. * 100%)	

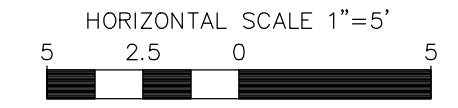
POST-CONSTRUCTION IMPERVIOUS AREA WITHIN 250' OF REFERENCE LINE

PRIMARY STRUCTURE	1,823 S.F.
SHED	0 S.F.
DRIVEWAY	1,478 S.F.
MUDROOM AND LANDING	91 S.F.
TOTAL	3,392 S.F.
IMPERVIOUS COVERAGE WITHIN 250' OF REFERENCE LINE = 30.1% (3,392 S.F. / 11,236 S.F. * 100%)	

SITE DEVELOPMENT PLANS

TAX MAP 140 LOT 3
SHORELAND PBN IMPACT PLAN
BARDONG RESIDENCE
39 DEARBORN STREET, PORTSMOUTH NH
 OWNED BY
SHAWN & MICHIO BARDONG
 PREPARED FOR
DOCKHAM BUILDERS, LLC
1"=10' (11"X17")
SCALE: 1"=5' (22"X34") **SEPTEMBER 16, 2024**

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 This plan is not effective unless signed by a duly authorized officer of TFMoran, Inc.



REV	DATE	DESCRIPTION	DR	CK

	Civil Engineers Structural Engineers Traffic Engineers Land Surveyors Landscape Architects Scientists	48 Constitution Drive Bedford, NH 03110 Phone (603) 472-4488 Fax (603) 472-9747 www.tfmoran.com
	FILE: 47617.00 DR: LST CK: JRA FB: CADFILE IMPACT-PLAN	C-02



CITY OF PORTSMOUTH

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

ZONING BOARD OF ADJUSTMENT

May 30, 2023

Michiyo Bardong and Shawn Bardong
39 Dearborn Street
Portsmouth, New Hampshire 03801

RE: Board of Adjustment request for property located at 39 Dearborn Street. (LU-23-5)

Dear Property Owners:

The Zoning Board of Adjustment, at its regularly scheduled meeting of **Tuesday, May 23, 2023**, considered your application for demolishing the existing shed and constructing 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 shown on Assessor Map 140 Lot 3 and lies within the General Residence A (GRA) and Historic Districts. As a result of said consideration, the Board voted to **approve the request as presented and advertised**.

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.

Approvals may also be required from other City Commissions or Boards. Once all required approvals have been received, applicant is responsible for applying for and securing a building permit from the Inspection Department prior to starting any project work.

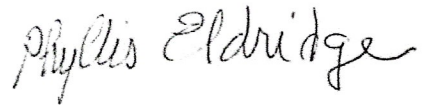
This approval shall expire unless a building permit is issued within a period of two (2) years from the date granted unless an extension is granted in accordance with Section 10.236 of the Zoning Ordinance.

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 Zoning Board of Adjustment Meeting website:

<https://www.cityofportsmouth.com/planportsmouth/zoning-board-adjustment/zoning-board-adjustment-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 cursive script that reads "Phyllis Eldridge".

Phyllis Eldridge, Chair of the Zoning Board of Adjustment

cc: Shanti Wolph, Chief Building Inspector

Rosann Maurice-Lentz, City Assessor

Amy Dutton, Amy Dutton Home

Findings of Fact | Variance

City of Portsmouth Zoning Board of Adjustment

Date: 5-23-2023

Property Address: 39 Dearborn Street

Application #: LU-23-5

Decision: **Grant**

Findings of Fact:

Effective August 23, 2022, amended RSA 676:3, I now reads as follows: The local land use board shall issue a final written decision which either approves or disapproves an application for a local permit and make a copy of the decision available to the applicant. **The decision shall include specific written findings of fact that support the decision. Failure of the board to make specific written findings of fact supporting a disapproval shall be grounds for automatic reversal and remand by the superior court upon appeal, in accordance with the time periods set forth in RSA 677:5 or RSA 677:15, unless the court determines that there are other factors warranting the disapproval.** If the application is not approved, the board shall provide the applicant with written reasons for the disapproval. If the application is approved with conditions, the board shall include in the written decision a detailed description of the all conditions necessary to obtain final approval.

The proposed application meets/does not meet the following purposes for granting a Variance:

Section 10.233 Variance Evaluation Criteria	Finding (Meets Criteria)	Relevant Facts
10.233.21 Granting the variance would not be contrary to the public interest.	YES / NO	<ul style="list-style-type: none"> • The proposed use does not expressly or implicitly conflict with the ordinance's provisions, in which case there are setback requirements for the movement of light and air around the structures. • It is a small yard and the structure will still have space in the back and on the side for light, air and emergency egress.
10.233.22 Granting the variance would observe the spirit of the Ordinance.	YES / NO	<ul style="list-style-type: none"> • The proposed use does not expressly or implicitly conflict with the ordinance's provisions, in which case there are setback requirements for the movement of light and air around the structures. • It is a small yard and the structure will still have space in the back and on the side for light, air and emergency egress.

		<ul style="list-style-type: none"> Section 10.121.6 of the ordinance is for the preservation of historic districts and buildings and structures of historic and architectural interest. The variance request is driven by the requirements of the HDC to preserve the 1700's Cape.
10.233.23 Granting the variance would do substantial justice.	YES / NO	<ul style="list-style-type: none"> The variances will do substantial justice because the benefit to the applicant would not be outweighed by any harm to the general public. T The preservation of the 1700s Cape would be a benefit to the applicant and public.
10.233.24 Granting the variance would not diminish the values of surrounding properties.	YES / NO	<ul style="list-style-type: none"> Granting the variances would not diminish the values of surrounding properties, noting that the Board had testimony from the abutter that the City does not allow for view easements on properties. It was not found that it would diminish the property. She also found that any improvement to a property in general does raise the values of surrounding properties for all those reasons.
<p>10.233.25 Literal enforcement of the provisions of the Ordinance would result in an unnecessary hardship.</p> <p>(a)The property has special Conditions that distinguish it from other properties in the area. AND (b)Owing to these special conditions, a fair and substantial relationship does not exist between the general public purposes of the Ordinance provision and the specific application of that provision to the property; and the proposed use is a reasonable one. OR Owing to these special conditions, the property cannot be reasonably used in strict conformance with the Ordinance, and a variance is therefore necessary to enable a reasonable use of it.</p>	YES / NO	<ul style="list-style-type: none"> The property does have special conditions, and part of that is the view easement, which restricts where a structure can be placed on the property. Putting it more toward the back of the property is an appropriate placement for it. It is an expansion of a house, which is an allowed use in the GRA District.



CITY OF PORTSMOUTH

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

HISTORIC DISTRICT COMMISSION

June 13, 2023

Michiyo Bardong and Shawn Bardong
39 Dearborn Street
Portsmouth, New Hampshire 03801

RE: Certificate of Approval for property located at 39 Dearborn Street. (LU-23-5)

Dear Mr. and Ms. Bardong:

The Historic District Commission, at its regularly scheduled meeting of **Wednesday, June 07, 2023**, considered your application for

exterior construction to an existing structure (replace existing roofing structure, add a new side and entry additions)

as per plans on file in the Planning Department. Said property is shown on Assessor Map 140 Lot 3 and lies within the General Residence A (GRA) and Historic Districts. As a result of said consideration, the Commission voted to

grant the Certificate of Approval with the following stipulation:

1. The final windows shall be submitted for Administrative Approval.

Findings of Fact

A. Purpose and Intent

The proposed application meets the following objective(s) of the Historic District (as provided in Section 10.631.20 of the Zoning Ordinance):

-Conservation and enhancement of property values.

B. Review Criteria

The proposed application also meets the following review criteria of the Historic District (as provided in Section 10.635.70 of the Zoning Ordinance):

-Compatibility of design with surrounding properties.

The Commission's decision may be appealed up to thirty (30) days after the vote. Any action taken by the applicant pursuant to the Commission'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.

Approvals may also be required from other City Committees or Boards. Once all required approvals have been received, applicant is responsible for applying for and securing a building permit from the Inspection Department prior to starting any project work.

This approval shall expire unless a building permit is issued within a period of one (1) year from the date granted by the Historic District Commission unless an extension is granted by the Commission in accordance with Section 10.636.70 of the Zoning Ordinance.

Please note that any changes or modifications to this application require review and approval from the Commission prior to implementation and additional fees may apply.

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

Very truly yours,

A handwritten signature in blue ink, appearing to read "Nick Cracknell".

Nicholas J. Cracknell, AICP, Principal Planner
for Jonathan Wyckoff, Chairman of the Historic District Commission

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

Amy Dutton, Amy Dutton Home



CITY OF PORTSMOUTH

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

ZONING BOARD OF ADJUSTMENT

March 2, 2023

Michiyo Bardong and Shawn Bardong
39 Dearborn Street
Portsmouth, New Hampshire 03801

RE: Board of Adjustment request for property located at 39 Dearborn Street. (LU-23-5)

Dear Property Owners:

The Zoning Board of Adjustment, at its regularly scheduled meeting of **Wednesday, February 22, 2023**, considered your application for constructing a second story over the existing 1.5 story building, removing and expanding the front porch, and removing and expanding the existing mudroom on the eastern side of the structure which requires the following: 1) Variance from Section 10.521 to allow a) 2 foot rear yard where 20 feet is required; and b) 9 foot side yard where 10 feet is required. 2) Variance from Section 10.321 to allow the extension and enlargement of a non-conforming structure. Said property is shown on Assessor Map 140 Lot 3 and lies within the General Residence A (GRA) and Historic Districts. As a result of said consideration, the Board voted to **grant** the request as presented and advertised.

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.

Approvals may also be required from other City Commissions or Boards. Once all required approvals have been received, applicant is responsible for applying for and securing a building permit from the Inspection Department prior to starting any project work.

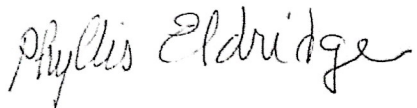
This approval shall expire unless a building permit is issued within a period of two (2) years from the date granted unless an extension is granted in accordance with Section 10.236 of the Zoning Ordinance.

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 Zoning Board of Adjustment Meeting website:

<https://www.cityofportsmouth.com/planportsmouth/zoning-board-adjustment/zoning-board-adjustment-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 cursive script that reads "Phyllis Eldridge". The signature is written in black ink and is positioned above the typed name.

Phyllis Eldridge, Chair of the Zoning Board of Adjustment

cc: Shanti Wolph, Chief Building Inspector

Rosann Maurice-Lentz, City Assessor

Amy Dutton, Amy Dutton Home