

Town of Exeter  
Zoning Board of Adjustment  
November 19, 2024, 7 PM  
Town Offices Nowak Room  
Draft Minutes

I. **Preliminaries**

**Members Present:** Chair Esther Olson-Murphy, Vice-Chair Theresa Page, Robert Prior, Martha Pennell - Alternate, and Laura Montagno - Alternate.

**Members Absent:** Clerk Laura Davies, Kevin Baum, Mark Lemos - Alternate

**Call to Order:** Chair Esther Olson-Murphy called the meeting to order at 7 PM.

I. **New Business**

- A. The application of 163 Water C-2, LLC for a variance from Article 5, Section 5.6.3 and 5.6.6 OffStreet Parking Schedule to permit no off-street parking to be provided where 14 spaces are required for a proposed change in use from a retail use to a restaurant use. The subject property is located at 163 Water Street, Unit C-2, in the WC-Waterfront Commercial zoning district. Tax Map Parcel #72-17-2. ZBA Case #24-8.

Attorney Briana Matuszco of DTC Lawyers spoke on behalf of applicant 163 Water C-2 LLC and its owner Anthony Callendrello. Justin Corriss, the manager of Vino e Vivo and of the proposed new establishment at 163 Water Street, was also present.

Attorney Matuszco said the applicant proposes to operate a restaurant at 163 Water Street, currently the location of Paws Pet Boutique, whose lease runs out at the end of January 2025. The space is directly above Vine e Vivo, and the new restaurant would be part of Vino e Vivo's license and corporate structure; they would be operating as a single entity. The restaurant will have 40 seats and will be open Tuesday - Thursday from 5 to 10 PM and Friday and Saturday from 5 to 11 PM. The restaurant will have 5-6 employees. There will be no live music and they will strictly enforce last call and a hard out. The applicant intends to restore the historic nature of the space, and construction is slated to begin in March. The proposed opening of the restaurant is in July 2025. The applicant is seeking variance relief to permit no off-street parking where 14 spaces are required. The proposed use does not have enough off-street parking to comply with the zoning ordinances. The property is currently grandfathered for [relief in the amount of] 5 spaces. The zoning requires 14 spaces, so the applicant is requesting relief for 9 spaces.

Attorney Matuszco went through the variance criteria. 1) The variance will not be contrary to the public interest and 2) The spirit of the ordinance will be observed; yes, this will not change the essential character of the locality, which is a mixed retail, office, and residential use, located on a busy main street with free

45 municipal parking nearby. The restaurant will operate in the evening hours;  
46 parking demand from other businesses is virtually non-existent after 5 PM.  
47 Granting the variance will not threaten the public health, safety, or welfare. There  
48 is free parking available on-street or at the Center Street lot, which contains 24  
49 general spaces, or the Boathouse lot, which contains 25 general parking spaces  
50 and 2 handicapped spaces. 3) Substantial justice is done; yes, there is no benefit  
51 to the public interest in denying the parking variance, but it would have a  
52 significant impact on the applicant, as it would impede his ability to move forward  
53 with the proposed use of the site as a restaurant. The request for relief is  
54 moderate and will have an inconsiderable effect on parking on Water Street. 4)  
55 The value of surrounding properties will not be diminished; yes, the locality is  
56 currently comprised of mixed uses, small businesses, and upstairs residences,  
57 which will not be altered by the variance. The increase of foot traffic would cause  
58 other businesses and restaurants to be patronized, which would enhance the  
59 value of surrounding properties. 5) Literal enforcement of zoning ordinance will  
60 result in an unnecessary hardship; yes, there are special conditions to this  
61 property in that there is no physical space for offstreet parking. This is one unit in  
62 a condominium building which has no legal authority to alter the status. This unit  
63 is uniquely suited to provide a small restaurant setting. The existence of 5 pre-  
64 existing non-conforming parking spaces helps in meeting its offstreet parking  
65 needs. The purpose of the ordinance is to ensure that adequate parking is  
66 available for people who want to utilize the proposed use. The relief sought is  
67 only for 9 spaces. Municipal parking is in close proximity. Patrons may visit on  
68 foot from nearby residences or may already be downtown to patronize other  
69 businesses. There is no fair and substantial relationship between the purpose of  
70 the ordinance and the application of the requested relief. The request is  
71 reasonable given the available parking located nearby and foot traffic.

72 Mr. Prior asked which space this is regarding. Attorney Matuszco  
73 indicated the space "C2" on the map.

74 Ms. Montagno said regarding the grandfathered 5 spaces, is that specific  
75 to the condo unit or the building overall? Attorney Matuszco said that's specific to  
76 the unit, which is currently operating as a retail space. Ms. Montagno asked if  
77 there are physically 5 spaces on the site, and Attorney Matuszco said no, there is  
78 no parking. Ms. Montagno said on Friday and Saturday, the hours would go from  
79 5 - 11; how would this coordinate with the winter parking ban, where there is no  
80 on-street parking after 12 AM? Is 11 PM when people will be leaving? Mr. Corriss  
81 said the patrons would be out at 11, and closing doesn't take more than 30  
82 minutes. We would be out of the parking spaces by midnight on those nights. As  
83 the manager of the location, he can develop a plan to ensure that they're out and  
84 closed by then. Ms. Page asked if the plan is to stick to the hours that have been  
85 outlined or is the hope to expand those if there is a level of success. Mr. Corriss  
86 said they're not expecting an expansion of evening hours, 11 PM is a hard out.  
87 Vino e Vivo is open at 4 PM, and the idea of this space is to be open intentionally  
88 later by design, so the 5 PM time would be firm.

89 Mr. Prior asked if the two restaurants would coexist or if the existing one  
90 would close. Mr. Corriss said they would coexist; on the licensing side, it's being  
91 treated as an expansion of the existing service. Mr. Prior asked if there would be  
92 a shared kitchen. Mr. Corriss said no, there would be a kitchen upstairs focusing  
93 on small plates and desserts.

94 Ms. Olson-Murphy asked for public comment.

95 Anson Lloyd, a resident in the building and a member of the condo Board  
96 of Directors, asked if the applicant can address waste management, recycling,  
97 and the current 10-yard dumpster, which is at near maximum capacity with three  
98 food venues right now. He oversees the agreement with Troiano Waste  
99 Management for the building when there is a missed pickup or overflowing trash.  
100 Mr. Corriss said it's not a conversation he has been a part of, but it's something  
101 he's happy to engage in. Attorney Matuszco said this doesn't have any bearing  
102 on the parking spaces. Ms. Montagno asked if this project would go before the  
103 Planning Board. Attorney Matuszco said no; she spoke with Doug [Eastman] and  
104 he said the Fire Department and Dave Sharples have been made aware of the  
105 proposed business. Ms. Page asked if the waste management was overlapping  
106 with parking or taking up existing parking spaces, and Mr. Corriss said no.

107 Ms. Olson-Murphy closed public session and brought the deliberations  
108 back to the Board.

109 Mr. Prior said given the situation downtown, this is a perfectly reasonable  
110 application. They meet the criteria for a variance. We have granted similar  
111 variances for other businesses in the downtown area. Ms. Page said she doesn't  
112 see this being impactful to downtown and congestion in the area. The Board was  
113 generally in agreement.

114  
115 Mr. Prior moved to accept the application of 163 Water C-2, LLC for a variance from  
116 Article 5, Section 5.6.3 and 5.6.6 OffStreet Parking Schedule as presented. Ms.  
117 Montagno seconded. Ms. Olson-Murphy, Ms. Page, Mr. Prior, Ms. Pennell, and Ms.  
118 Montagno voted aye. The motion passed 5-0.

- 119  
120 B. The application of Stonearch Development Corp. for a variance from Article 4,  
121 Section 4.3 to permit a minor subdivision of the property located at 12 Little River  
122 Road with less than the required lot frontage (width) and with frontage on a  
123 private right-of-way. The subject property is located in the R-2, Single Family  
124 Residential zoning district. Tax Map Parcel #62-90-1. ZBA Case #24-9.

125 Christian Smith, an Engineer with Beals Associates, spoke on behalf of  
126 Stonearch Development Corp. John O'Neal of Stonearch was also present.

127 Mr. Smith said that previously, the church parcel was divided from the  
128 existing house, which is now a residence. Five condominium units were  
129 approved. There are 63,775 square feet remaining. The property is encumbered  
130 by wetland buffers, local shoreland district buffers, and utility easements. The  
131 applicant is looking to divide that into two pieces. If that weren't the case, the  
132 property would support 15,000 square foot lots, because it is supported by water

133 and sewer. There is a right-of-way easement that covers the common drive in.  
134 The association is required to maintain that road; the town is not involved in  
135 maintenance or repairs.

136 Mr. Smith went through the variance criteria. 1) The variance will not be  
137 contrary to the public interest; yes, the variance is not contrary to the public  
138 interest as it will add two lots much larger than what is required in the R2 zone.  
139 There is no threat to the public health, safety, or welfare. The private section of  
140 the road frontage will be maintained by the HOA. The lot, if not so encumbered  
141 by utility easements and environmental setbacks, could sustain 4 conventional  
142 lots based on R2 zoning. 2) The spirit of the ordinance will be observed; yes, the  
143 proposed lot frontage is provided, albeit on a private road, which will be  
144 constructed to town design standards but maintained by a private entity. The lot  
145 will have twice the frontage it was approved for in 2021 by variance. The  
146 variance would not result in a development that would materially alter the  
147 character of the neighborhood. The lots would be larger than most of the abutting  
148 lots. 3) Substantial justice is done; yes, no harm to the general public would be  
149 realized by such an approval, therefore the benefit to the applicant could not be  
150 outweighed by harm to the public. 4) The value of surrounding properties will not  
151 be diminished; yes, allowing reduced frontage on a private way will not diminish  
152 the surrounding property values. Existing vegetation will remain and additional  
153 screening will be put into place. 5) Literal enforcement of zoning ordinance will  
154 result in an unnecessary hardship; yes, the 65-foot utility easement that bisects  
155 the parcel near its frontage and the municipal wetland and shoreland buffers  
156 would reduce any building potential this parcel has to an unusable size. The  
157 private way has an existing access easement that maintains the intent of  
158 frontage on a public street. Strict conformance to the ordinance would eliminate  
159 the proposed reasonable use of the property and result in an unnecessary  
160 hardship.

161 Mr. Prior asked Mr. Smith to explain the result of the denial of this  
162 variance. Mr. Smith said we would not be able to proceed to the Planning Board  
163 with the 2-lot subdivision request. The existing building would remain, the former  
164 rectory building. Mr. Prior said there was a previous approval; has that expired?  
165 Mr. Smith said no, that's actively under construction. Mr. O'Neal said the  
166 foundations of 3 of the 5 buildings are complete and the remaining ones will be  
167 poured this week and next. The water and sewer have been run in from the road  
168 and the gas will be run in in mid-December. That didn't need a variance because  
169 these 5 lots were already approved. Mr. Smith showed on the map the parcel in  
170 question, which would not necessarily be part of the condominium. Mr. Prior  
171 asked if there is a house there already, and Mr. Smith said no, this is a proposed  
172 home.

173 Ms. Page said prior to the 2021 meeting, this was one lot, and then it was  
174 subdivided into two, with the right of way splitting it, with 45 and 20 feet of  
175 frontage. The 45 feet serves the condominium parcel and the 20 served the lot  
176 that has the existing house. With this proposed change, will the new building

177 retain the 20.5 feet of actual public road frontage? Mr. Smith said yes, and the  
178 new building will take its frontage from the private road. There will be no public  
179 road frontage. The private road will be built the same as any other town road. Mr.  
180 Prior said the denial would not impact the 5 condominiums or the existing home,  
181 but would impact the building of one additional property, and Mr. Smith said  
182 that's correct.

183 Mr. Prior asked if there are no setback issues with the new house. Mr.  
184 Smith said that's correct. These designs are preliminary, so if that had to change  
185 and we needed more relief we would come back. Mr. Prior said all 7 homes on  
186 the proposed plan would share the one driveway and be on one private road, and  
187 Mr. Smith said that's correct. Just the 5 will be part of the HOA but these two lots  
188 would be part of the maintenance, repairs, and dealing with a winter road. Mr.  
189 O'Neal said this would be a separate condominium with an HOA "umbrella" over  
190 the entire lot for the road.

191 Ms. Olson-Murphy asked for public comment, but there was none. She  
192 brought the discussion back to the Board.

193 Ms. Olson-Murphy said she drove out there and it appears that the road  
194 hasn't been built yet. Mr. O'Neal said there was a parking lot that we crushed.  
195 Once the foundations go in we'll spread that gravel for the road. Ms. Olson-  
196 Murphy asked how they would respond if the Board wanted to put in the motion  
197 the requirement that the road be built to town specs. Mr. O'Neal said it has to be.  
198 It's being reviewed by the town. Mr. Smith said this will have to go through the  
199 Planning Board for subdivision approval. The road construction was actually a  
200 condition of building the condominiums.

201 Ms. Olson-Murphy closed the public session and the Board went into  
202 deliberation. She said according to the zoning, you can have frontage on a  
203 private road, so she's not worried that there is only 20 feet on a public way, but  
204 100 feet is required. Ms. Montagno said for lot 1, there is 79.5 feet on the private  
205 way and 20 on the public way. Ms. Olson-Murphy said lot 2 has 45 feet of  
206 frontage on the private way. Mr. Prior said there's no question about the acreage.  
207 Ms. Montagno said there are hardships forcing the houses to be in these areas  
208 but they have plenty of land. Ms. Page said the purpose of the frontage  
209 requirement is to prevent the appearance of overcrowding. Given the size of the  
210 lots, she doesn't think we're bumping up against that purpose. They can't further  
211 condense it with the confines of the property.

212 Ms. Olson-Murphy said the screening is important because there's  
213 another house right on the other side of the property line. Ms. Montagno  
214 suggested including in the motion that the applicant would enhance the  
215 vegetative screening. The screening on the left side of the lot leaves a little to be  
216 desired. That said, the abutter is not here. Mr. Prior said it feels crowded but  
217 there is sufficient land and frontage.

218 Ms. Page asked if we could do a condition on the road that it has to be to  
219 town standards. Mr. Prior said it has to be, so we don't need to specify that.

220  
221  
222  
223  
224  
225  
226  
227  
  
228  
229  
230  
231  
  
232  
233  
  
234  
235  
236  
237  
238  
239  
240  
241  
242  
243  
244  
245  
246  
247  
248  
249  
250  
251  
252  
253  
254  
255  
256  
257  
258  
259  
260  
261  
262

Ms. Page made a motion to approve the application of Stonearch Development Corp. for a variance from Article 4, Section 4.3 to permit a minor subdivision of the property located at 12A Little River Road with less than the required lot frontage (width) and with frontage on a private right-of-way. The subject property is located in the R-2, Single Family Residential zoning district. Tax Map Parcel #62-90-1. ZBA Case #24-9, as presented, with the condition that sufficient screening be provided between lot 1 and the abutter. Mr. Prior seconded; he suggested the term “additional” in place of “sufficient” screening.

Mr. Prior moved to amend the motion by removing the word “sufficient” and replacing it with the word “additional. Ms. Pennell seconded. Ms. Olson-Murphy, Ms. Page, Mr. Prior, Ms. Pennell, and Ms. Montagno voted aye. The motion passed 5-0.

On the amended motion, Ms. Olson-Murphy, Ms. Page, Mr. Prior, Ms. Pennell, and Ms. Montagno voted aye. The motion passed 5-0.

Mr. Smith mentioned that Mr. O’Neal is already working with that abutter. That was a big tangled mess of invasive weeds and the neighbor has been thrilled that Mr. O’Neal has been working with him on it.

- C. The application of Stonearch Development Corp. for variances from Article 4. Section 4.4 seeking relief from the required minimum front, side and rear setbacks, the minimum density (lot area/unit) requirement and maximum building coverage requirement for the proposed residential development of the property located at 57 Portsmouth Avenue. The subject property is located in the C-2, Highway Commercial zoning district. Tax Map Parcel #65-137. ZBA Case #24-10.

Christian Smith of Beals Associates spoke on behalf of John O’Neal of Stonearch Development. Mr. Smith said this property is just south of the Hampton Inn. The existing conditions plan depicts where the house was, but it’s now a vacant lot. The applicant is looking to create two triplex buildings on the lot, which creates a lot of requests for relief due to the size and shape of the parcel. This would be a residential condominium development. The driveway entrance will use the existing curb cut on Portsmouth Avenue. It will have municipal water and sewer service, with closed drainage tying into the existing town drainage system.

Mr. Smith went through the variance criteria. 1) The variance will not be contrary to the public interest; yes, the proposed development will provide alternative housing opportunities to single-family residents and will provide additional tax revenue to the municipality. The proposed layout provides parking behind the building, which will result in a much-improved view from Portsmouth Ave as opposed to if the parking were in the front. The setbacks and density are not within the letter of the ordinance, but this type of housing is supported in the Master Plan. 2) The spirit of the ordinance will be observed; yes, the access to

263 the multi-family district and off-street parking are a permitted use, and multi-  
264 family residential use is permitted by special exception. The property was  
265 formerly a single-family residential dwelling. 3) Substantial justice is done; yes,  
266 there is no gain to the general public that would outweigh the loss to the  
267 developer that would result from a strict adherence to the setback and density  
268 requirements of the C2 zone, which are targeted at commercial developments.  
269 The Master Plan supports this type of housing in this area on Portsmouth  
270 Avenue. 4) The value of surrounding properties will not be diminished; yes, the  
271 surrounding properties would be enhanced by the addition of quality triplexes that  
272 would enhance the street view of the current vacant lot. Enhanced screening and  
273 vegetation to the surrounding properties will be provided through the Planning  
274 Board site review application. This will provide privacy for abutting parcels as well  
275 as the residents of the townhouse units. 5) Literal enforcement of zoning  
276 ordinance will result in an unnecessary hardship; yes, due to the size and shape  
277 of the parcel, the building envelope would be 828 square feet if the setbacks  
278 were applied. These provisions are generally applied to commercial development  
279 and need not apply to residential townhouse units. The parcel is in close  
280 proximity to the C1 district, and those provisions would eliminate much of the  
281 relief needed. The proposed use and density are reasonable in light of the fact  
282 that the parcel is served by water and sewer services.

283 Mr. Prior said the density seems pretty significant. This is a lot with a  
284 significant slope, are they going to dig it out and add a retaining wall? Mr. Smith  
285 said yes, the back building would be drive-under garages and the front would be  
286 at-grade garages. Each of these units would have a garage at ground level, so  
287 the back hill would need to be cut into with a retaining wall. That would be slab  
288 on grade. There would be a retaining wall/frost wall for the foundation.

289 Mr. Prior said they haven't asked for parking relief. Mr. Smith said they  
290 have 2 spaces in each garage plus a guest space. Mr. Prior said you would need  
291 2 additional spaces. The rule is one space per bedroom plus one per four units.

292 Ms. Page said it's C2 so the residential uses permitted are mixed-use  
293 neighborhood development, which we're not looking at, and residential  
294 conversion, which includes not more than 4 units. Ms. Olson-Murphy said it's not  
295 a conversion, it's an empty lot. Ms. Page asked when the previous building was  
296 taken down. Mr. O'Neal said it's been at least 5 years. Ms. Montagno said she  
297 thinks it's been longer than that.

298 Mr. Smith said regarding the guest spaces, there is 20+ feet in the paved  
299 parking section behind the back building, so there are 2 spaces proposed there.

300 Ms. Olson-Murphy asked about fire accessibility. Mr. Smith said these are  
301 going to be sprinklered. The hydrant is not far away from us, so the Fire  
302 Department would hook up to the hydrant and fight it from Portsmouth Avenue.

303 Mr. Prior asked if they have to go through technical review. Mr. Smith said  
304 yes, the full site plan review includes technical review. Fire, Police, and DPW will  
305 look at it.

306 Mr. Prior asked if they are concerned about access onto Portsmouth Ave,  
307 which is a fairly busy road. Mr. Smith said Mr. O'Neal has engaged a traffic  
308 consultant. Mr. Prior asked if exiting the property would be strictly to the right,  
309 and Mr. Smith said he assumes that's what the traffic consultant would  
310 recommend.

311 Ms. Pennell asked if each unit has an underground garage, and Mr. Smith  
312 said each has a ground-level garage.

313 Ms. Pennell asked where the front door to the back units is. Mr. O'Neal  
314 said there's a garage door and a service door for each of the units. The ground  
315 floor is the garage and office space, the first floor is the living area, and the  
316 second floor is 3 bedrooms or 2 bedrooms and a study. The foundation wall  
317 serves as retainage and allows people to have a patio in the back. Mr. Smith  
318 showed a rendering of the proposed building.

319 Ms. Olson-Murphy asked for public comment.

320 Ryan O'Brian of 20 Haven Lane said it would be great to see something  
321 in this spot which has been vacant for so long. He doesn't have an issue with  
322 infringing on the side setbacks, but he has an issue with the separation between  
323 residential zones and commercial zones. There are numerous examples of a  
324 vapor-thin barrier between residential and commercial along Portsmouth Avenue.  
325 There is a residential R2 zone in the back. This is a residential use of the C2  
326 zone but it abuts two single-family units. It's critical to maintain a buffer between  
327 the C2 zone and the residential zone. With proposed development in this area,  
328 it's likely that Portsmouth Avenue will need to be widened at some point. If this  
329 building is that far forward, you're not going to be able to put a second lane there.

330 Danielle Frank of 31 Haven Lane said she's not opposed to construction  
331 at this site. We'd like to see something new in the neighborhood, but this is too  
332 much for too small a lot. This was a single family home and the lot size has not  
333 changed. This would negatively impact the surrounding neighborhood with  
334 overcrowding.

335 Steve Taylor of 30 Haven Lane said he is concerned about traffic in that  
336 area and drainage of water causing flooding on Haven Lane. If you put 6 units in  
337 that tight area, the traffic problems would be threefold, especially with the 111  
338 units they want to put on the side where Sanel Auto Parts is. Adding 6 onto that  
339 small lot, which has been vacant since 2015, you're going to be overcrowded and  
340 you'll have to change those lights.

341 Kyle Taylor of 30 Haven Lane said Hampton Inn uses this property as  
342 overflow parking. They already cannot handle the amount of parking they have.

343 Mr. Smith said typically an individual dwelling unit will generate 11 or 12  
344 vehicle trips per day. To say that 6 homes here is going to create a threefold  
345 problem, the math doesn't work. We're working with a traffic engineer and will get  
346 this figured out. We anticipate that it will be a right-out only. These folks wanted  
347 an exit from the back but there's no right of way or room. If Hampton Inn is using  
348 this property he's not aware of an agreement to do so. There's no allowance for  
349 that use in the future. The drainage will connect to a catch basin on the corner of



350 the sidewalk at Hampton Inn. There are things that can be done on-site to  
351 mitigate any concerns that the DPW may have.

352 Ms. Olson-Murphy said the applicant implied that the setbacks for a  
353 commercial area are more aggressive than residential, but the setbacks they're  
354 requesting also don't align with any residential setbacks. You're asking for 9 and  
355 it's 25 in a residential area. You'd be here even if the build was in a residential  
356 zone.

357 Mr. Prior said he doesn't have a problem with the proposed setbacks. A  
358 few years ago we discussed adopting something called "form-based code," and  
359 one of the initiatives was to move buildings toward the road and have parking  
360 behind. The members of the public here are from Haven Lane, and are not the  
361 abutters, who would have been notified of this. He doesn't believe they will  
362 necessarily be impacted by the rear setback.

363 Ms. Olson-Murphy said we heard another application for this property and  
364 the rear abutters did come. It was a single building with 8 units of short-term  
365 rentals for nurses. Their concerns may have been with the short-term nature of  
366 that proposal.

367 Ms. Montagno said although there's proximity to the C1 district, every  
368 building between this property and C1 is residential. It's not residential units  
369 going next to commercial units. The difference between the setbacks of C1 and  
370 C2 are dramatic. In C1, the setback is 10 feet. Those setbacks are reasonable  
371 given what's in proximity. Mr. Prior said we're extending residential one property  
372 further north from Highland Ave. Ms. Olson-Murphy said if you meet the  
373 setbacks, the lot is not buildable. No matter what goes there, there will be  
374 setback relief.

375 Ms. Page said in C2, residential conversions are permitted, but we're  
376 going beyond that to do 6 units instead of 4 and there's no existing home that's  
377 being converted. Do we need to consider a variance for the use? Mr. Prior said if  
378 there had been one required, Doug [Eastman] would have made it part of the  
379 application.

380 Ms. Olson-Murphy asked if the Board is ok with the setbacks. Mr. Prior  
381 said given where it's located, he doesn't have a problem with it. Ms. Page said  
382 the Master Plan is consistent with putting buildings closer to the road, especially  
383 coming in closer to town from the 101.

384 Ms. Olson-Murphy asked the Board about the density and building  
385 coverage requests. Mr. Prior said the conversation regarding C1 vs C2 has  
386 allayed some of his concerns about density. He was concerned about 6 but  
387 doesn't necessarily see a benefit to the town or abutters in holding a line and  
388 saying they must only have 4. Once you've increased the size of the building  
389 envelope, there is sufficient room for 6 townhomes on that parcel. Ms. Olson-  
390 Murphy said it still seems significant. It's been a vacant lot for 8 - 10 years so  
391 anything is going to look huge there. She's worried about the bulk of it. If it has  
392 parking underneath it will have the 35-foot height. Mr. Prior said we were not  
393 asked for height relief. Directly across Portsmouth Ave is the two-story Blake

394 Auto building. Ms. Page said the layering of three and three helps. It's using the  
395 lot without crowding all the units together.

396 The Board reviewed the rendering again. Ms. Olson-Murphy said it looks  
397 better than an empty lot. Mr. Prior said it's a big building. The buildings will be  
398 more aligned than they are in the rendering. Only at an angle would you be able  
399 to see the back building.

400 Ms. Olson-Murphy asked the Board if they wanted to go through the  
401 variance criteria. Mr. Prior said he thinks it's been explained clearly enough. Ms.  
402 Montagnano said it's been documented in the application. Mr. Prior said he didn't  
403 note any places where he disagreed with the conclusions reached. The only  
404 condition he would recommend is unnecessary in this case, which is full Planning  
405 Board review.

406 Mr. Prior made a motion to approve the application of Stonearch Development Corp. for  
407 variances from Article 4 Section 4.4 seeking relief from the required minimum front, side  
408 and rear setbacks, the minimum density (lot area/unit) requirement and maximum  
409 building coverage requirement for the proposed residential development of the property  
410 located at 57 Portsmouth Avenue as presented. Ms. Pennell seconded. Ms. Olson-  
411 Murphy, Ms. Page, Mr. Prior, Ms. Pennell, and Ms. Montagnano voted aye. The motion  
412 passed 5-0.

413  
414 **II. Other Business**

415 A. Minutes Approval - August 20, 2024

416 Ms. Olson-Murphy said there are not enough members present [who were in  
417 attendance at the August meeting] to review this set of minutes, so it was tabled  
418 until the next meeting.

419  
420 B. Minutes Approval - October 15, 2024

421 Ms. Page moved to approve the minutes of October 15, 2024 as presented. Mr. Prior  
422 seconded. The motion passed 5-0.

423  
424 **III. Adjournment**

425  
426 Mr. Prior moved to adjourn. Ms. Page seconded. The motion passed 5-0 and the  
427 meeting was adjourned at 8:30 PM.

428  
429 Respectfully Submitted,  
430 Joanna Bartell  
431 Recording Secretary  
432