

**BOARD OF ADJUSTMENT MEETING
PORTSMOUTH, NEW HAMPSHIRE
EILEEN DONDERO FOLEY COUNCIL CHAMBERS**

7:00 P.M.

January 22, 2025

ACTION SHEET

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

MEMBERS EXCUSED: Thomas Rossi

ALSO PRESENT: Jillian Harris, Planning Department

*Mr. Mannle moved to take Item III.C, Millport INC, 1001 Islington St out of order to postpone. Mr. Mattson seconded. The motion **passed** unanimously, 7-0.*

*Vice-Chair Margeson moved to **postpone** Item III.C, Millport INC, 1001 Islington St, to the February 19 meeting, seconded by Mr. Rheaume. The motion **passed** unanimously, 7-0.*

I. APPROVAL OF MINUTES

A. Approval of the December 17, 2024 meeting minutes.

The Board voted to approve the December 17, 2024 minutes as amended.

Motion: T. Nies, **Second:** J. Mattson

II. OLD BUSINESS

THE FOLLOWING ITEMS WILL BE HEARD ON WEDNESDAY, JANUARY 22, 2025

A. 84 Pleasant Street - Rehearing Request

*The Board voted to **postpone** the request to the **February 19, 2025** meeting.*

Motion: P. Mannle, **Second:** B. Margeson

Mr. Rheume recused himself from the following petition:

B. The request of **361 Hanover Steam Factory LLC (Owner)**, and **Hampshire Development Corporation LLC (Applicant)**, for property located at **361 Hanover Street** whereas relief is needed to expand and renovate the existing commercial building and convert it to multi-family residential and to construct three new multi-family residential buildings which requires the following: 1) Variance from Section 10.642 to allow residential principal uses on the ground floor of the buildings; 2) Variance from Section 10.5A41 - Figure 10.5A41.10D to a) allow for "Apartment", "Rowhouse" and "Duplex" building types where they are not permitted; b) allow a ground floor height of 10.5 feet where 12 feet is required; and 3) Variance from Article 15 - Definition of Penthouse - to allow a penthouse with a setback of 8 feet from all roof edges where 15-20 feet is required and to allow no greater than 80% of the gross living area of the level of the floor below where 50% is the maximum. Said property is located on Assessor Map 138 Lot 63 and lies within the Character District 5 (CD5) District and the Downtown Overlay District. (LU-24-196)

The Board voted to suspend the rules to accept the withdrawal of the penthouse variance request.

Motion: B. Margeson; **Second:** J. Mattson

The Board voted to accept the withdrawal of the penthouse variance request (3).

Motion: J. Mattson; **Second:** B. Margeson

*Board voted to **continue** the petition and requested the applicant provide the following information for the **February 19, 2025** meeting:*

- 1. Renderings and streetscapes from Hanover Street, Rock Street, Pearl Street and Hill Street;*
- 2. Streetscape showing project next to 407 Hanover Street;*
- 3. Define the number of units and parking spaces proposed;*
- 4. Concise application package that does not reference previous plans and without inconsistencies in the information provided.*

Motion: B. Margeson; **Second:** T. Nies

III. NEW BUSINESS

A. The request of **111 Front Street LLC (Owner)**, for property located at **65 Griffin Road** whereas relief is needed for after-the-fact construction of a front porch and rear deck which requires the following: 1) Variance from Section 10.521 to a) allow a 21.5 foot front yard setback where 30 feet is required; b) allow a 6.5 foot left side yard setback where 10 feet is required; c) allow a 29 foot rear yard setback where 30 feet is required; and 2) Variance from Section 10.321 to allow a building or structure to be extended, reconstructed or enlarged without conforming to the requirements of the Ordinance. Said property is located on Assessor Map 258 Lot 31 and lies within the Single Residence B (SRB) District. (LU-24-210)

*The Board voted to **grant** the request as presented and advertised with the following **condition**:*

- 1) The left side setback relief will be measured against the original property boundary prior to the 1977 record of an alternate property line.*

Motion: T. Nies; **Second:** P. Mannle

- B.** The request of **N. E. Marine and Industrial Inc (Owner)**, for property located at **200 Spaulding Turnpike** whereas relief is needed to install a freestanding sign 2 feet from the front property line which requires the following: 1) Variance from Section 10.1241 for a 30 square foot freestanding sign where freestanding signs are not allowed. Said property is located on Assessor Map 237 Lot 56 and lies within the Gateway Corridor (G1) and Single Residence B (SRB) Districts. (LU-24-208)

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

Motion: D. Rheume, **Second:** J. Record

- C. REQUEST TO POSTPONE** The request of **Millport INC (Owner)**, for property located at **1001 Islington Street** whereas relief is needed for a change of use to extend the existing health club into the adjacent unit wherein relief is required from the Zoning Ordinance including the following special exception from Section 10.440, Use #4.42 to allow a health club greater than 2,000 s.f. of gross floor area. Said property is located on Assessor Map 172 Lot 4 and lies within the Character District 4-W (CD4-W). **REQUEST TO POSTPONE** (LU-24-209)

*The request was **postponed** to the February 19, 2025 meeting.*

- D.** The request of **Custom House LLC, (Owner)**, for property located at **40 Pleasant Street** whereas relief is needed to install a projecting sign which requires the following: 1) Variance from Section 10.1251.20 for a 20 square foot projecting sign where 12 square feet is the maximum allowed. Said property is located on Assessor Map 107 Lot 81 and lies within the Character District 5 (CD5), Historic and Downtown Overlay Districts. (LU-24-206)

*The Board voted to **grant** the request as presented.*

Motion: J. Mattson, **Second:** B. Margeson

IV. ADJOURNMENT

The meeting adjourned at 9:52 p.m.