

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

7:00 P.M.

January 28, 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: Stefanie Casella, Planning Department

I. NEW BUSINESS

Mr. Mattson recused himself from his voting seat for the following petition:

- A.** The request of **Michele Kathryn Arbour** and **Jeffrey M. Mattson (Owners)**, for property located at **86 Emery Street** whereas relief is needed to construct a firewood shed which requires the following: 1) Variance from Section 10.571 to allow an accessory structure to be located closer to the street than the primary structure. Said property is located on Assessor Map 220 Lot 87-1 and lies within the Single Residence B District. (SRB) (LU-24-215)

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

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

Ms. Record recused herself from the following petition:

- B.** The request of **909 West End LLC (Owner)**, for property located at **909 Islington Street** whereas relief is needed to allow a restaurant which requires the following: 1) Special Exception from Section 10.440, Use # 9.42 to allow a Restaurant with an occupant load from 50 to 250 people where it is allowed by Special Exception. Said property is located on Assessor Map 172 Lot 7 and lies within the Character District 4-W (CD4-W). (LU-24-221)

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

Motion: D. Rheaume; **Second:** J. Mattson

C. The request of **Gary B. Dodds Revocable Trust (Owner)**, for property located at **294 Lincoln Avenue** whereas relief is needed to demolish the two existing detached garages and construct a new attached garage which requires the following: 1) Variance from Section 10.521 to allow 28% building coverage where 25% is the maximum allowed. Said property is located on Assessor Map 130 Lot 24 and lies within the General Residence A (GRA) District. (LU-24-225)

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

- 1. Note 10 from the site plan stating a “variance from Section 10.1114.32 (b) is required to exit parking by backing into or from a public street,” shall be removed.*

Motion: D. Rheaume; **Second:** J. Mattson

D. The request of **Treadwell LLC (Owner)**, for property located at **93 Pleasant Street** whereas relief is needed to permit the provision of required parking spaces to be located on a separate lot in the same ownership within 300 feet of the property line of the lot in question, which requires the following: 1) Special Exception from Section 10.1113.112 to allow five (5) of the required parking spaces to be located at 134 Pleasant Street, Map 116, Lot 30. Said property is located on Assessor Map 107 Lot 74 and lies within the Character District 4 (CD4), Historic and Downtown Overlay Districts. (LU-24-216)

*The Board voted to **grant** the special exception with the following **conditions**:*

- 1. The final parking agreement will be submitted to the Planning and Legal Department for review and approval; and,*
- 2. There is adequate parking remaining on the alternate lot per the requirements of the use, to be determined by Planning Staff.*

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

Mr. Rheaume recused himself from the following petition:

E. The request of **Martin Husslage (Owner)**, for property located at **48 Langdon Street** whereas relief is needed to demolish the existing dwelling and accessory structure, subdivide the property from one lot into two and to construct a single-family structure with attached Accessory Dwelling Unit on one lot and a two-family attached dwelling on the second lot. The project requires the following: 1) Variance from Section 10.521 to allow 2,832 square feet per dwelling unit for the proposed two-family dwelling lot where 3,500 square feet per dwelling unit is required. Said property is located on Assessor Map 138 Lot 47 and lies within the General Residence C (GRC) District. (LU-24-227)

*The Board voted to **deny** the request because the application failed to prove there was a hardship or special conditions that distinguished the property from others in the area.*

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

II. ADJOURNMENT

The meeting was adjourned at 9:06 PM