

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

*Members of the public also have the option to join the meeting over Zoom
(See below for more details)**

7:00 P.M.

April 15, 2025

AGENDA

<p><u>PLEASE NOTE: DUE TO THE LARGE VOLUME OF REQUESTS FOR APRIL, ITEMS (III.) K. THROUGH P. WILL BE HEARD AT THE APRIL 22, 2025 ZONING BOARD OF ADJUSTMENT MEETING.</u></p>

I. APPROVAL OF MINUTES

A. Approval of the March 18, 2025 meeting minutes.

II. OLD BUSINESS

A. **635 Sagamore Avenue** – Extension Request (LU-22-209)

B. **39 Dearborn Street** – Extension Request (LU-23-5)

III. NEW BUSINESS

A. The request of **Jason T. and Trisha Brewster (Owners)**, for property located at **121 Mechanic Street** whereas after-the-fact relief is required for a roof sign which requires the following: 1) Variance from Section 10.1240 to allow a roof sign where it is not an allowed sign type; and 2) Variance from Section 10.251 for an aggregate sign area of 191 s.f., which is greater than the maximum allowed. Said property is located on Assessor Map 103 Lot 31 and lies within the Waterfront Business (WB) and Historic Districts. (LU-25-5)

B. The request of **Mezansky Family Revocable Trust (Owners)**, for property located at **636 Lincoln Avenue** whereas relief is needed to demolish an existing detached garage and to

construct an addition which requires the following: 1) Variance from Section 10.521 to a) allow a 2 foot left side yard setback where 10 feet is required; b) allow a 16 foot rear yard setback where **20** feet is required; c) allow 29% building coverage where 25% is the maximum allowed; 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 148 Lot 17 and lies within the General Residence A (GRA) District. (LU-25-27)

- C. The request of **Dreyer Family Revocable Trust (Owners)**, for property located at **558 Islington Street** whereas relief is needed to allow a salon which requires the following: 1) Special Exception from Section 10.440, Use # 7.20 to allow a personal services use where it is allowed by Special Exception. Said property is located on Assessor Map 156 Lot 23 and lies within the Character District 4-L2 (CD4-L2) and Historic Districts. (LU-25-30)
- D. The request of **Freeze J. L. and Riecks J. D. Revocable Trust (Owners)** and **Kimberly Boualavong and Matthew Meyers (Applicants)**, for property located at **205 Bartlett Street** whereas relief is needed to allow a barbershop which requires the following: 1) Variance from Section 10.440, Use #7.20 to allow a personal services use where it is not allowed. Said property is located on Assessor Map 162 Lot 33 and lies within the General Residence A (GRA) District. (LU-25-31)
- E. The request of **Alexander Nancy H. Revocable Trust (Owners)**, for property located at **620 Peverly Hill Road** whereas relief is needed for a change of use to allow a health club that requires the following special exception from Section 10.440, Use #4.42 to allow a health club greater than 2,000 s.f. gross floor area. Said property is located on Assessor Map 254 Lot 6 and lies within the Industrial (I) District. (LU-25-33)
- F. **REQUEST TO POSTPONE** The request of **The Kane Company (Owners)**, for property located at **210 Commerce Way** whereas relief is needed to remove, replace and relocate an existing freestanding sign which requires the following: 1) Variance from Section 10.1253.10 for a freestanding sign to be setback 4 feet from the front property line where 20 feet is required. Said property is located on Assessor Map 216 Lot 1-4; and lies within the Office Research (OR) District. **REQUEST TO POSTPONE** (LU-25-35)
- G. **REQUEST TO POSTPONE** The request of **The Kane Company (Owners)**, for property located at **170 and 190 Commerce Way** whereas relief is needed to remove, replace and relocate two existing freestanding signs which requires the following: 1) Variance from Section 10.1253.10 for two freestanding signs to be setback a) 2 feet and b) 10.5 feet from the front property line where 20 feet is required. Said property is located on Assessor Map 216 Lot 1-2 and lies within the Office Research (OR) District. **REQUEST TO POSTPONE** (LU-25-42)
- H. **REQUEST TO POSTPONE** The request of **The Kane Company (Owners)**, for property located at **195 Commerce Way** whereas relief is needed to remove, replace and relocate an existing freestanding sign which requires the following: 1) Variance from Section 10.1253.10

for a freestanding sign to be setback 6 feet from the front property line where 20 feet is required. Said property is located on Assessor Map 216 Lot 1-8 and lies within the Office Research (OR) District. **REQUEST TO POSTPONE (LU-25-43)**

- I. REQUEST TO POSTPONE** The request of **The Kane Company** (Owners), for property located at **215 Commerce Way** and **75 Portsmouth Boulevard** whereas relief is needed to remove, replace and relocate two existing freestanding signs which requires the following: 1) Variance from Section 10.1253.10 for two freestanding signs to be setback a) 1.5 feet and b) 9.5 feet from the front property line where 20 feet is required. Said property is located on Assessor Map 216 Lot 1-8a and lies within the Office Research (OR) District. **REQUEST TO POSTPONE (LU-25-44)**

- J. REQUEST TO POSTPONE** The request of **The Kane Company** (Owners), for property located at **230 Commerce Way** whereas relief is needed to remove, replace and relocate an existing freestanding sign which requires the following: 1) Variance from Section 10.1253.10 for a freestanding sign to be setback 4 feet from the front property line where 20 feet is required. Said property is located on Assessor Map 216 Lot 1-5 and lies within the Office Research (OR) District. **REQUEST TO POSTPONE (LU-25-45)**

THE FOLLOWING ITEMS WILL BE HEARD ON TUESDAY, APRIL 22, 2025

- K.** The request of **William J. Armstrong JR Revocable Trust** (Owners), for property located at **70 Stark Street** whereas relief is needed to construct a detached accessory workshop structure which requires the following: 1) Variance from Section 10.573.20 to permit a 10-foot rear yard where 20 feet is required. Said property is located on Assessor Map 159 Lot 50 and lies within the General Residence A (GRA) District. (LU-25-37)

- L.** The request of **Paul and Karolina Roggenbuck** (Owners), for property located at **2 Sylvester Street** whereas relief is needed to construct a second dwelling and associated driveway on the lot which requires the following: 1) Variance from Section 10.513 to allow more than one free-standing dwelling on a lot; 2) Variance from Section 10.1114.31 to allow a second driveway on the lot; and 3) Variance from Section 10.521 to allow a lot area per dwelling unit of 7,899 s.f. where 15,000 s.f. is required. Said property is located on Assessor Map 232 Lot 35 and lies within the Single Residence B (SRB) District. (LU-25-34)

- M.** The request of **Colbea Enterprises LLC** (Owners), for property located at **1980 Woodbury Avenue** whereas relief is needed to demolish and redevelop an existing gas station and convenience store which requires the following: 1) Special Exception from Section 10.440, Use #8.122 to allow a convenience goods 2 use with 24 hours per day operation; 2) Variance from Section 10.5B33.20 to allow for a front lot line build out of 0% where a minimum of 75% is required for a commercial building; 3) Variance from Section 10.5B34.60 to allow for a front setback from the lot line of 27 feet on Woodbury Avenue and 46 feet on Gosling Road where a maximum of 20 feet is required; 4) Variance from Section 10.5B83.10 to allow for parking

spaces to be located between the principal building and the street; 5) Variance from Section 10.835.32 to allow for drive-through lanes, bypass lanes and stacking lanes to be located within 13 feet of the property line where 30 feet is required; 6) Variance from Section 10.835.31 to allow outdoor service facilities to be located within 38 feet of a lot line where 50 feet is required. 7) Variance from Section 10.843.33 to allow for pump islands to be located within 28 feet of the lot lines where 40 feet is required; 8) Variance from Section 10.1251.10 to allow for an aggregate sign area of 454 s.f. where a maximum of 223.5 s.f. is allowed; 9) Variance from Section 10.1251.20 to allow a 134 s.f. freestanding sign where a maximum of 100 s.f. is allowed; 10) Variance from Section 10.1253.10 to allow for a freestanding sign at a) a height of 26.5 feet where a maximum of 20 feet is allowed and b) two freestanding signs at a setback of 3 feet where 10 feet is required; and 11) Variance from Section 1252.40 to allow illumination of a gas pump canopy area that shall not be included in the sign area where it is distinguished from the background only by color stripes. Said property is located on Assessor Map 239 Lot 11 and lies within the Gateway Corridor (G1) District. (LU-25-39)

- N.** The request of **Lonza Biologics** (Owners), for property located at **101 International Drive** whereas relief is needed to construct a canopy with supporting structure which requires relief from the following: 1) Variance from Section 304.04(c) of the Pease Development Ordinance to allow a canopy and supporting structures for an outdoor patio to be located within 70-feet of the front property line. Said property is located on Assessor Map 305 Lot 6 and lies within the Airport Business Commercial (ABC) District. (LU-25-47)
- O.** The request of **Adam and Reagan Ruedig** (Owners), for property located at **70 Highland Street** whereas relief is needed to demolish the existing garage and bulkhead and to construct a new detached garage and bulkhead which requires the following: 1) Variance from Section 10.521 to allow a) building coverage at 26% where a maximum of 25% is allowed; b) a 2 foot rear yard where 18 feet is required; c) a 2 foot right side yard setback 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 134 Lot 27 and lies within the General Residence A (GRA) District. (LU-25-40)
- P.** The request of **Jeannette MacDonald** (Owners), for property located at **86 Farm Lane** whereas relief is needed to subdivide the existing property into 3 separate lots. The proposed parent lot requires the following: 1) Variance from Section 10.521 to allow a) 28 foot rear yard setback where 30 feet is required; and b) 20 foot secondary front yard where 30 feet is required. Proposed lots 1 and 2 require the following: 2) Variance from Section 10.521 to allow a) 13,125 s.f. of lot area where 15,000 s.f. is required; b) 13,125 s.f. of lot area per dwelling unit where 15,000 s.f. is required; and c) 75 feet of continuous street frontage where 100 feet is required. Said property is located on Assessor Map 236 Lot 74 and lies within the Single Residence B (SRB) District. (LU-25-41)

IV. OTHER BUSINESS

V. ADJOURNMENT

**Members of the public also have the option to join this meeting over Zoom, a unique meeting ID and password will be provided once you register. To register, click on the link below or copy and paste this into your web browser:*

https://us06web.zoom.us/webinar/register/WN_Px_ky9eqRnurSedEgqkVJQ