

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

**7:00 P.M.**

**June, 17 2025**

**ACTION SHEET**

**MEMBERS PRESENT:** Beth Margeson, Vice Chair; David Rheame; Paul Mannle; Jeffrey Mattson; Thomas Nies

**MEMBERS EXCUSED:** Phyllis Eldridge, Chair; Thomas Rossi

**ALSO PRESENT:** Jillian Harris, Planning Department

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**I. APPROVAL OF MINUTES**

**A.** Approval of the May 20, 2025 meeting minutes.

*The May 20, 2025 meeting minutes were **approved** as amended with B. Margeson recused.*

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

**B.** Approval of the May 27, 2025 meeting minutes.

*The May 27, 2025 meeting minutes were **approved** as amended.*

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

*The Board started the meeting with four members. Acting Chair Margeson stated that there was a Quorum but any application that went before the Board would require all four votes. She said the applicants had the option to postpone.*

*The Petitions for 92 Brewster Street and 636 Lincoln Avenue did not have a Quorum due to recusals, so they would have to be postponed.*

*Acting Chair Margeson read Item II.A into the record. and then stated that it would be postponed to the July meeting.*

*Acting Chair Margeson read Item II.C into the record and said the applicant's request for withdrawal would be considered at the July meeting.*

## II. OLD BUSINESS

- A. The request of **Harborside Property Management LLC (Owner)**, for property located at **92 Brewster Street** whereas relief is needed to demolish the existing structure and construct a single-family home with Accessory Dwelling Unit which requires the following: 1) Variance from Section 10.521 to allow a) 2,884 s.f. of lot area where 3,500 s.f. are required, b) 2,884 s.f. of lot area per dwelling unit where 3,500 s.f. are required, c) 52.33 feet of continuous street frontage where 70 feet are required, d) 9.5 foot right side yard where 10 feet are required, and e) 10 foot rear yard where 20 feet are required. Said property is located on Assessor Map 138 Lot 54 and lies within the General Residence C (GRC) District. (LU-25-25)

*The petition had no Quorum and was **postponed** to the July 15th meeting*

- B. 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) 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; 2) Variance from Section 10.5B34.60 to allow for a front setback from the lot line of 27 feet on Woodbury Avenue and 53.5 feet on Gosling Road where a maximum of 20 feet is required; 3) Variance from Section 10.5B83.10 to allow for parking spaces to be located between the principal building and the street; 4) Variance from Section 10.835.31 to allow outdoor service facilities to be located within 34.5 feet and 40.5 of a lot line where 50 feet is required. 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 10.843.33 to allow for pump islands to be located within 34.5 feet of the lot lines where 40 feet is required; 7) Variance from Section 10.1251.10 to allow for an aggregate sign area of 309 s.f. where a maximum of 223.5 s.f. is allowed; 8) Variance from Section 10.1251.20 to allow a 134 s.f. freestanding sign where a maximum of 100 s.f. is allowed; and 9) Variance from Section 10.1253.10 to allow for a freestanding sign at a height of 26.5 feet where a maximum of 20 feet is allowed. Said property is located on Assessor Map 239 Lot 11 and lies within the Gateway Corridor (G1) District. (LU-25-39)

*The Board voted to **approve** the applicants' request to **postpone** to the July 15th meeting.*

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

- C. **REQUEST TO WITHDRAW** - 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 to the primary structure 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 12.5 foot rear yard setback where 20 feet is required; c) allow 39% 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) - **REQUEST TO WITHDRAW**

*The petition had no Quorum and was **postponed** to the July 15th meeting.*

### III. NEW BUSINESS

- A.** The request of **Life Storage LP C/O Sovran Self Storage (Owner)**, for property located at **70 Heritage Avenue** whereas relief is needed for after-the-fact installation of mini-storage units which requires the following: 1) Variance from Section 10.531 to allow a 2-foot rear setback where 50 feet is required; and 2) Variance from Section 10.330 to allow the expansion of a nonconforming use where it is not permitted. Said property is located on Assessor Map 285 Lot 11-B and lies within the Industrial (I) District. (LU-25-36)

*The Board voted to **approve** the applicants' request to **postpone** to the July 15th meeting.*

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

*P. Mannle arrived at the meeting, bringing the Board to five members. Acting Chair Margeson explained that the applications would still require four affirmative votes for approval.*

- B.** The request of **Suzanne S. Dargie (Owner)**, for property located at **35 Boss Avenue** whereas relief is needed to construct a two-story addition to the existing single-family home which requires the following: 1) Variance from Section 10.521 to a) allow a 8.5 foot right side yard where 10 feet is required and b) 22.5% building coverage where a maximum of 20% is permitted. Said property is located on Assessor Map 152 Lot 42 and lies within the Single Residence B (SRB) District. (LU-25-72)

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

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

- C.** The request of **Port Hunter LLC (Owner)**, for property located at **361 Miller Avenue** whereas relief is needed to demolish the existing detached garage and construct a new detached garage which requires the following: 1) Variance from Section 10.521 to allow a

building coverage of 26% where a maximum of 25% is permitted; 2) Variance from Section 10.573.20 to a) allow an accessory building with a 10.5 foot rear setback where 20 feet is required; and b) a 6 foot left side yard setback where 10 feet is required. Said property is located on Assessor Map 131 Lot 33 and lies within the General Residence A (GRA) District. (LU-25-76)

*The Board voted to **approve** the applicants' request to **postpone** to the July 15th meeting.*

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

**D.** The request of **Maureen A Rousseau and Daniel A Indoe (Owner)**, for property located at **239 Broad Street** whereas relief is needed to remove an existing detached accessory structure and to construct an addition to the primary structure which requires the following: 1) Variance from Section 10.521 to allow a secondary front yard setback of 6 feet where 15 feet is required. Said property is located on Assessor Map 131 Lot 15 and lies within the General Residence A (GRA) District. (LU-25-75)

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

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

**E.** The request of **Greengard Center for Autism (Owner)**, for property located at **89 Brewery Lane** whereas relief is needed for a change of use from an assisted living home with 5 residents to an assisted living center with 6 residents which requires the following: 1) Variance from Section 10.440, Use #2.11 for an assisted living center where it is not permitted. Said property is located on Assessor Map 146 Lot 26 and lies within the Character District 4-L2 (CD4-L2). (LU-25-77)

*The Board voted to **approve** the applicants' request to **postpone** to the August 19th meeting.*

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

#### **IV. ADJOURNMENT**

*The meeting adjourned at 7:50p.m.*