

**From:** [Planning - Info - Shr](#)  
**To:** [Jen L. Crockett](#)  
**Subject:** FW: Support for neighbor's shed (121 Eastwood Dr.)  
**Date:** Monday, August 11, 2025 11:54:11 AM

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**From:** Kim Billings <kim.e.billings@gmail.com>  
**Sent:** Sunday, August 10, 2025 4:25 PM  
**To:** Planning - Info - Shr <Planning@portsmouthnh.gov>  
**Subject:** Support for neighbor's shed (121 Eastwood Dr.)

You don't often get email from kim.e.billings@gmail.com. [Learn why this is important](#)

We received an abutter notice from the Board of Adjustment that includes a petition from our neighbor, Timothy John Berky Jr, who resides with his family at 121 Eastwood Dr in Portsmouth. We understand this request will be discussed at the board's Aug. 19 meeting. Because we will be out of town on vacation, we want to submit this note of support in advance.

While we are not direct abutters to TJ and Monique, we have no objection to the city granting them a variance to construct a storage shed out back. Since they moved in at 121 Eastwood, the Berkys have transformed a former ho-hum cape and yard to a truly beautiful home and property that makes Eastwood proud.

Thank you for recording our input.

Sincerely,  
Kim Billings and Jennifer Murray  
(Billings Murray Family Trust)  
81 Eastwood Dr, Portsmouth, NH 03801

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Kim Billings  
(603) 969.5000

Gallagher Hogan  
231 Coolidge Drive  
Portsmouth, NH 03801  
8/18/2025

**To:** City of Portsmouth, Board of Adjustment

**Re:** Opposition to Variance Request – Tyle Garzo, 62 McKinley Road

Dear Members of the Board of Adjustment,

I am writing as an abutting property owner at 231 Coolidge Drive to respectfully oppose the requested variances to subdivide the property located at 62 McKinley Road.

Under RSA 674:33 in NH, a variance may only be granted if the applicant proves *all* of the following criteria: (1) there is a unique and unnecessary hardship, (2) the hardship is not self-created, (3) the variance will not be contrary to the public interest or injurious to neighborhood character, (4) the spirit of the ordinance is observed, and (5) the relief requested is the minimum necessary.

In this case, the applicant has not met these criteria:

1. **No unique hardship:** The property is already reasonably usable as a conforming single lot. The desire to create an additional buildable lot does not constitute a hardship under the law.
2. **Self-created condition:** Any hardship is self-created, as the owner purchased the parcel with knowledge of its lot size and frontage limitations.
3. **Public detriment:** Allowing this subdivision would increase density, reduce open space, and negatively affect privacy, and traffic safety, for abutting properties. These impacts are inconsistent with the surrounding neighborhood character.
4. **Contrary to zoning intent:** The minimum lot size and frontage requirements in our ordinance were adopted to preserve neighborhood stability and property values. Granting relief here would undermine those protections and set a precedent for future nonconforming subdivisions.
5. **Not minimum relief:** The request is not the least deviation possible; rather, it seeks to create an entirely new nonconforming lot where none is permitted.

6. **Creates a damaging precedent:** Approval would encourage other property owners in the area to seek similar variances, resulting in piecemeal erosion of the zoning ordinance and cumulative harm to the neighborhood.

For these reasons, I respectfully urge the Board to deny the requested variances. Approval would contradict the letter and spirit of our zoning ordinance, diminish the rights of neighboring property owners, and create a precedent that undermines fair and consistent application of the law.

Thank you for your consideration.

Sincerely,

Gallagher Hogan  
603-380-1610  
[gallagher.hogan@gmail.com](mailto:gallagher.hogan@gmail.com)

**From:** [Planning - Info - Shr](#)  
**To:** [Jen L. Crockett](#)  
**Subject:** FW: Hearing for August 19th, 2025 - Tyler Garzo Petition  
**Date:** Monday, August 11, 2025 8:56:30 AM

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**From:** Abigail Mowery <abigail.mowery@gmail.com>  
**Sent:** Sunday, August 10, 2025 12:27 PM  
**To:** Planning - Info - Shr <Planning@portsmouthnh.gov>  
**Subject:** Hearing for August 19th, 2025 - Tyler Garzo Petition

You don't often get email from abigail.mowery@gmail.com. [Learn why this is important](#)

Hi

I received notice on the petition of Tyler Garzo to subdivide his lot into 2 lots. It contains SEVEN variances to allow this to occur. I do not want to see this approved. Our homes are already close enough together, we do not need to squeeze in more. Also, by allowing so many variances it will then set a precedent for others to follow changing the dynamic of our neighborhood.

Abigail Mayrand  
Coolidge Drive, Portsmouth