

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

7:00 P.M.

October 28, 2025

ACTION SHEET

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

MEMBERS EXCUSED: Thomas Rossi

ALSO PRESENT: Jillian Harris, Planning Department

I. OLD BUSINESS

- A.** The request of **Charlie Neal and Joe McCarthy (Owners)**, for property located at **28 Whidden Street** whereas relief is needed to construct an addition to the rear of the structure which requires the following: 1) Variance from Section 10.521 to allow a) 42% building coverage where 30% is allowed, b) 11 foot rear yard where 25 feet are 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 102 Lot 64 and lies within the General Residence B (GRB) and Historic Districts. (LU-25-127)

*The application was **withdrawn** by the applicant.*

II. NEW BUSINESS

- A.** The request of **Double Mc LLC (Owner)**, for property located at **134 Pleasant Street** whereas relief is needed for redevelopment of the existing commercial building and construction of horizontal and vertical building expansions for a mixed-use building with below-grade parking and the relocation of drive-through teller lanes, which requires the following: 1) Variance from Section 10.440, Use #19.40 for a drive-through facility as an accessory to a permitted principle use; and 2) Variance from Section 10.331 to change the location and use of the drive-through facility. Said property is located on Assessor Map 116 Lot 30 and lies within the Character District 4 (CD4) and Historic District. (LU-25-138)

*The Board voted to **deny** the request as it does not meet the public interest or the spirit of the Ordinance.*

Motion: P. Mannle; **Second:** D. Rheaume

- B.** The request of **Tyler Garzo (Owner)**, for property located at **62 McKinley Road** whereas relief is needed to construct a detached accessory dwelling unit which requires the following: 1) Variance from Section 10.1114.31 to allow a second driveway where only one is permitted. Said property is located on Assessor Map 268 Lot 26 and lies within the Single Residence B (SRB) District. (LU-25-136)

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

Motion: D. Rheaume; **Second:** T. Nies

D. Rheaume recused himself from the vote on the following petition:

- C.** The request of **ZJBV Properties LLC (Owner)** and **Jason Michalak (Applicant)**, for property located at **180 Islington Street** whereas relief is needed to establish a personal service use for a tattoo studio which requires the following: 1) Special Exception from Section 10.440 Use #7.20 to allow a personal service use. Said property is located on Assessor Map 137 Lot 19 and lies within the Character District 4-L2 (CD4-L2) and Historic District. (LU-25-137)

The Board had five voting members, with four affirmative votes needed for approval.

*The petition was **postponed** to the November 18 meeting at the request of the applicant.*

- D.** The request of **Christopher J and Rachel A Delisle (Owners)**, for property located at **250 McKinley Road** whereas relief is needed to construct a second story addition to the primary structure which requires the following: 1) Variance from Section 10.521 to allow a) 23 foot front yard where 30 feet are required, b) 0 foot right side yard 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 250 Lot 117 and lies within the Single Residence B (SRB) District. (LU-25-139)

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

- 1) That the right side façade of the addition align with the current right side foundation line.*

Motion: D. Rheaume; **Second:** P. Mannle

- E.** The request of **Nuchow Hartzell Family Trust (Owner)**, for property located at **204 Aldrich Road** whereas relief is needed to construct an addition and ramp to the primary structure which requires the following: 1) Variance from Section 10.521 to allow a) 3 foot right side yard where 10 feet is required, b) 7 foot left side yard where 10 feet is required, c) 31% building coverage where 20% 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 153 Lot 26 and lies within the Single Residence B (SRB) District. (LU-25-140)

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

Motion: J. Mattson; **Second:** P. Mannle

- F.** The request of **Trenton and Denise Sensiba (Owners)**, for property located at **0 and 12 Ruth Street** whereas relief is needed for a lot line adjustment which requires the following: 1) Variance from Section 10.521 for 20.66 feet of frontage on Map 143 Lot 16 where 100 feet is required. Said property is located on Assessor Map 143 Lots 16 and 9-1 and lies within the General Residence A (GRA) District. (LU-25-118)

*The Board voted to **deny** the request as it does not meet the requirements for substantial justice, hardship, or the spirit of the Ordinance.*

Motion: D. Rheame; **Second:** B. Margeson

I. ADJOURNMENT

The meeting adjourned at 10:43 p.m.