

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

**7:00 P.M.**

**December 16, 2025**

**ACTION SHEET**

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

**MEMBERS EXCUSED:**

**ALSO PRESENT:** Stefanie Casella, Planning Department

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**I. APPROVAL OF MINUTES**

**A.** Approval of the November 18, 2025 meeting minutes.

*The November 18, 2025 meeting minutes were **approved** as amended with Vice Chair Margeson abstaining.*

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

*Mr. Rheaume moved to take Item III. E, Request for Postponement to the January meeting of the 698 Middle Road petition out of order, seconded by Mr. Nies. The Motion passed unanimously, 6-0, with Vice Chair Margeson recused.*

*Mr. Mannle moved to **grant** the request for postponement of Item III. E, 698 Middle Road, seconded by Mr. Rossi. The Motion passed unanimously, 6-0, with Vice Chair Margeson recused.*

*Mr. Rossi moved to take Item III. D, 53 Pray Street out of order, seconded by Vice Chair Margeson. The Motion passed unanimously, 7-0.*

*Mr. Rossi moved to **postpone** Item III. D, 53 Pray Street to January until such time a proper and complete packet has been submitted to the Planning Department, seconded by Mr. Mannle. The Motion passed unanimously, 7-0.*

## II. OLD BUSINESS

- A. POSTPONED TO JANUARY** The request of **909 West End LLC** and **PWED2 LLC (Owners)**, for property located at **909 and 921 Islington Street** whereas relief is needed to construct a sign at 921 Islington Street that will be servicing the businesses located at 909 Islington Street which requires the following: 1) Variance from Section 10.1253.10 to allow a sign setback of 4 feet from a lot line where 5 feet are required, 2) Variance from Section 10.1224.90 to allow a sign advertising a product or service not provided on the lot on which the sign is located (“off premise sign”); and 3) Variance from Section 10.1252 to allow 27 square feet of sign area where 20 square feet are allowed. Said property is located on Assessor Map 172 Lots 7 & 10 and lies within the Character District 4-W (CD4-W). **POSTPONED TO JANUARY (LU-25-134)**

- B. 134 Pleasant Street – Rehearing Request (LU-25-138)**

*The Board voted to **deny** the request for rehearing, because the applicant failed to identify an error in procedure or law in the decision by the Board.*

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

## III. NEW BUSINESS

- A.** The request of **Eric Brassard (Owner)**, for property located at **233 Dennett Street** whereas relief is needed to construct a detached accessory dwelling unit and garage which requires the following: 1) Variance from Section 10.521 to allow a) 4-foot left side yard where 10 feet is required. Said property is located on Assessor Map 142 Lot 7 and lies within the General Residence A (GRA) District. (LU-25-155)

*The Board voted to **deny** the request as presented and advertised, because it failed to meet the hardship criteria, is not consistent with the spirit of the Ordinance, and is contrary to the public interest.*

**Motion:** T. Rossi; **Second:** D. Rheume

- B.** The request of **R and J 2100 Corporation (Owner)** and **Radmoto USA (Applicant)**, for property located at **2100 Lafayette Road** whereas relief is needed for a change of use from retail bicycle shop to sales of electric mopeds and motorcycles which requires the following: 1) Special Exception from Section 10.440 Use #11.10 to allow Sales, renting or leasing of motorcycles, including accessory repair services. Said property is located on Assessor Map 267 Lot 3 and lies within the Gateway Corridor (G1) District. (LU-25-162)

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

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

- C. POSTPONED TO JANUARY** The request of **Stewart Baker Revocable Trust (Owner)**, for property located at **20 Coffins Court** whereas relief is needed for the construction of a spiral staircase on the left side of the home and dormers on the third floor which requires the following: 1) Variance from Section 10.521 to allow a) 4 foot right side yard and a 5 foot left side yard where 10 feet are required, b) 50.5% building coverage where 35% is allowed; and c) 4.5% open space where 20% is required. Said property is located on Assessor Map 135 Lot 53 and lies within the General Residence C (GRC) District. **POSTPONED TO JANUARY** (LU-25-164)
- D.** The request of **Kenneth J and Rebecca T Nicholson (Owners)**, for property located at **53 Pray Street** whereas relief is needed to demolish and reconstruct the existing sunroom and roof deck, replace the existing patio and driveway, and replace an 8 foot fence which requires the following: 1) Variance from Section 10.521 to allow a 7.5 right side yard where 30 feet is required; 2) Variance from Section 10.515.13 to allow an 8 foot fence in the front yard where 4 feet is allowed; and 3) Variance from Section 10.516.10 to allow a 6.5 foot front yard where 17 feet is required. Said property is located on Assessor Map 102 Lot 40 and lies within the Waterfront Business (WB) and Historic Districts. (LU-25-166)

*The Board voted to **postpone** the petition to January so the applicant can submit a complete packet to the Board.*

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

- E. REQUEST TO POSTPONE** The request of **Chase Home for Children C/O Woodman (Owners)**, for property located at **698 Middle Road** whereas relief is needed to construct a new facility on the property which requires the following: 1) Variance from Section 10.334 to allow the residential care facility use to be extended to another part of the remainder of the land, 2) Variance from Section 10.440 to allow for the construction of a new residential care facility structure. Said property is located on Assessor Map 232 Lot 45 and lies within the Single Residence B (SRB) District. **REQUEST TO POSTPONE** (LU-25-167)

*The Board voted to **postpone** the petition to the January 21<sup>st</sup> meeting.*

**Motion:** D. Rheaume; **Second:** T. Nies. Vice Chair Margeson recused.

- F. The request of **Robert M Snover Revocable Trust (Owners)**, for appeal of the administrative decision to require a variance for Section 10.1530 pertaining to the lot area of the property located at **58 Humphrey's Court**. Said property is located on Assessor Map 101 Lot 47 and lies within the General Residence B (GRB) and Historic Districts. (LU-25-168)

*The Board voted to **uphold** the appeal of the appellant and overturn the decision of the Code Official*

***Motion:** J. Mattson; **Second:** D. Rheume. Chair Eldridge recused.*

- G. The request of **Robert M Snover Revocable Trust (Owners)**, for property located at **58 Humphrey's Court** whereas relief is needed to subdivide the existing parcel into two parcels which requires the following: 1) Variance from Section 10.521 to allow a) 51.8 feet of continuous street frontage where 80 feet is required, b) 4,840 square feet of lot area where 5,000 square feet are required; and c) 4,840 square feet of lot area per dwelling unit where 5,000 square feet are required. Said property is located on Assessor Map 101 Lot 47 and lies within the General Residence B (GRB) and Historic Districts. (LU-25-168)

*The Board voted to **deny** the request as presented and advertised, because the applicant failed to meet the hardship criteria as there is nothing special and unique about the property that differentiates it from the other properties in the immediate area.*

***Motion:** T. Rossi; **Second:** P. Mannle. Chair Eldridge recused.*

- H. The request of **Ben and Andrea St. Jean, Braden and Robyn Ferrari, Bob and Laura Gunning, Mike and Zoe Daboul, Tim and Kim Sullivan, and Jamie and Amy Baker (Appellants)**, for appeal of the administrative decision of a zoning determination pertaining to the side and rear lot lines of the property for a proposed subdivision located at **58 Humphrey's Court**. Said property is located on Assessor Map 101 Lot 47 and lies within the General Residence B (GRB) and Historic Districts. (LU-25-165)

*The Board voted to **grant** the appellant's appeal of the Zoning determination by Planning Director Peter Britz regarding the classification of the rear lot lines for the proposed subdivision at 58 Humphrey's Court. Further, the Zoning Board of Adjustment makes no determination on the classification of side lot lines for the proposed subdivision.*

***Motion:** D. Rheume; **Second:** T. Nies. Chair Eldridge recused.*

- I. **POSTPONED TO JANUARY** The request of **Michael R and Isaac M. Roylos (Owners)** and **Christopher Cloutier (Applicant)**, for property located at **25 Sims Avenue** whereas relief is needed to create a buildable lot which requires the following: 1)

Variance from section 10.521 to allow a) 5,000 square feet of lot area where 15,000 is required, b) 5,000 square feet of lot area per dwelling unit where 15,000 is required, and c) 50 feet of frontage where 100 feet are required. Said property is located on Assessor Map 233 Lot 71 and lies within the Single Residence B (SRB) District. **POSTPONED TO JANUARY (LU-25-169)**

#### **IV. ADJOURNMENT**

*The meeting adjourned at 11:40 p.m.*