

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

7:00 P.M.

July 15, 2025

ACTION SHEET

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

MEMBERS EXCUSED:

ALSO PRESENT: Stefanie Casella, Planning Department

*Mr. Rossi moved to take Item II.C, Request for Withdrawal of the 636 Lincoln Ave petition, out of order. Mr. Mannle seconded. The motion **passed** unanimously, 6-0, with Mr. Nies recused.*

*Mr. Mannle moved to **suspend** the rules, seconded by Mr. Rheaume. The motion **passed** unanimously, 6-0, with Mr. Nies recused.*

*Mr. Mannle moved to **grant** the request for withdrawal of Item II.C, 636 Lincoln Ave, seconded by Mr. Rheaume. The motion **passed** unanimously, 6-0, with Mr. Nies recused.*

I. APPROVAL OF MINUTES

A. Approval of the June 17, 2025 meeting minutes.

*The June 17, 2025 meeting minutes were **approved** as presented with Mr. Rossi abstaining.*

***Motion:** B. Margeson; **Second:** T. Nies*

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

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

- 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 **grant** Variances 1, 2, 3, and 6 as presented and advertised.*

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

*The Board voted to **deny** Variances 4 and 5 as presented and advertised, because the request was not consistent with the spirit of the ordinance and failed to meet the hardship criteria.*

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

*The Board voted to **deny** Variances 7, 8, and 9 as presented and advertised, because the request was not consistent with the spirit of the ordinance and the special conditions of the property don't support the variances, so it failed the hardship criterion.*

Motion: T. Nies; **Second:** T. Rossi

- 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 Board voted to **approve** the applicants' request to **withdraw**.*

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

- D.** 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 **deny** the request as presented and advertised, because the request failed to meet the hardship criteria.*

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

- E.** 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 **grant** the request as presented and advertised.*

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

III. OTHER BUSINESS

- A.** Chairs Item to Discuss Time Change for Scheduled Meetings

IV. ADJOURNMENT

The meeting adjourned at 10:20 p.m.