

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

7:00 P.M.

February 18, 2026

**ACTION SHEET**

**MEMBERS PRESENT:** Beth Margeson, Chair; Jeffrey Mattson, Vice Chair; David Rheaume; Paul Mannle; Thomas Rossi; Robert Sullivan; Mike Lucas, Alternate

**MEMBERS EXCUSED:** Thomas Nies

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

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*Mr. Mannle moved to suspend the rules in order to take Item II. B, 698 Middle Road petition out of order. Mr. Sullivan seconded. The Motion passed unanimously 7-0.*

*Mr. Sullivan moved to **postpone** Item II. B, 698 Middle Road to the March 17<sup>th</sup> meeting, seconded by Mr. Mannle. The Motion passed unanimously 6-0, with Chair Margeson abstaining.*

**I. APPROVAL OF MINUTES**

- A.** Approval of the January 21, 2026 meeting minutes.

*The January 21, 2026 meeting minutes were approved as amended.*

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

- B.** Approval of the January 27, 2026 meeting minutes.

*The January 27, 2026 meeting minutes were approved as presented.*

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

**II. OLD BUSINESS**

- A.** 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) Special Exception from Section 10.440, Use #8.122 to allow a convenience goods 2 use with 24 hours per day operation; 2) 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; 3) Variance from Section 10.5B34.60 to allow for a front setback from the lot line of 27 feet on Woodbury Avenue and 36.5 feet on Gosling Road where a maximum of 20 feet is required; 4) Variance from Section 10.5B83.10 to allow for parking spaces to be located between the principal building and the street; and 5) Variance from Section 10.843.33 to allow for pump islands to be located within 37 feet of the lot lines where 40 feet is required. 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 request as presented and advertised.*

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

- B. 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. (LU-25-167) **REQUEST TO POSTPONE**

*The Board voted to **postpone** the request to the March 17<sup>th</sup> meeting.*

***Motion:** R. Sullivan; **Second:** P. Mannle*

- C.** 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. (LU-25-169)

*A motion to **deny** the request as presented and advertised failed by a vote of 3-4.*

***Motion:** T. Rossi; **Second:** R. Sullivan*

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

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

- D.** 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 (*approved January 21, 2026*), b) 50.5% building coverage where 35% is allowed; c) 4.5% open space where 20% is required; and d) a 6.5 foot rear yard where 20 feet is required. Said property is located on Assessor Map 135 Lot 53 and lies within the General Residence C (GRC) District. (LU-25-164)

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

**Motion:** T. Rossi; **Second:** D. Rheaume. *Alternate M. Lucas recused.*

- E.** The request of **Lisa Paige Reyes (Owner)** and **Chris Ward (Applicant)**, for property located at **238 Austin Street** whereas relief is needed to demolish the existing structures, subdivide the lot and construct a new home on each lot which requires the following for the proposed Austin Street Lot: 1) Variance from Section 10.521 to allow a) 49.75 feet of frontage where 70 feet is required; and b) an 8.5 foot right side yard where 10 feet is required. The following is required for the proposed Coffins Court Lot: 1) Variance from Section 10.521 to allow a) 2,884 sq.ft. of lot area where 3,500 sq.ft. is required, b) 2,884 sq.ft. of lot area per dwelling unit where 3,500 sq.ft. is required, c) a 5.5 ft. side yard where 10 feet is required; and d) an 18 foot rear yard where 20 feet is required. Said property is located on Assessor Map 135 Lot 61 and lies within the General Residence C (GRC) District. (LU-25-177)

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

**Motion:** D. Rheaume; **Second:** R. Sullivan. *Alternate M. Lucas recused.*

### **III. NEW BUSINESS**

- A.** The request of **Ahmad and Whitney Hussein (Owners)**, for property located at **9 Willard Avenue** whereas relief is needed to demolish the existing detached garage and shed and construct a new two-story addition with attached garage which requires the following: 1) Variance from Section 10.521 to allow a) a 7.5 foot rear yard where 20 feet is required; and b) 26.5% building coverage where 25% is the maximum. Said property is located on Assessor Map 149 Lot 24 and lies within the General Residence A (GRA) District. (LU-26-1)

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

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

- B.** The request of **Phoebe Hart LLC (Owner)** and **Blush LLC (Applicant)**, for property located at **404 The Hill, Units 8-3** whereas relief is needed for a personal service business which requires the following: 1) Variance from Section 10.440, Use #7.20 to allow a personal services business where it is not allowed. Said property is located on Assessor Map 118 Lot 26-8 and lies within the Character District 4-L1 (CD4-L1). (LU-26-6)

*The Board voted to **approve** the request as presented with the following **conditions**:*

- 1) *The use shall be limited to a by-appointment basis only.*

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

- C.** The request of **Nathaniel J LeGros (Owner)**, for property located at **140 Summer Street** whereas relief is needed to demolish the existing one-story detached garage and construct a new two-story attached garage which requires the following: 1) Variance from Section 10.521 to allow a) a 4 foot right side yard where 10 feet is required, b) a 4 foot rear yard where 20 feet is required; and c) 39% building coverage where 35% is allowed. Said property is located on Assessor Map 137 Lot 2 and lies within the General Residence C (GRC) District. (LU-26-7)

*A motion to **deny** the request as presented and advertised failed by a vote of 3-4.*

**Motion:** T. Rossi; **Second:** R. Sullivan

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

**Motion:** J. Mattson; **Second:** M. Lucas

#### **IV. ADJOURNMENT**

*The meeting adjourned at 12:30 a.m.*