

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

7:00 P.M.

May 26, 2026

ACTION SHEET

MEMBERS PRESENT: Beth Margeson, Chair; Jeffrey Mattson, Vice Chair; David Rheaume; Paul Mandle; Thomas Nies; Robert Sullivan

MEMBERS EXCUSED: Thomas Rossi; Mike Lucas, Alternate

ALSO PRESENT: Jillian Harris, Planning Department

Mr. Sullivan moved to suspend the rules seconded by Mr. Rheaume. The motion passed unanimously, 6-0.

*Mr. Sullivan moved to **postpone** Item I. C., 221 Woodbury Avenue to the June meeting per the applicant's request, seconded by Mr. Mandle. The motion passed unanimously, 6-0.*

I. NEW BUSINESS

- A.** The request of **Eldredge Place Condo Association (Owner)**, for property located at **40 Merrimac Street** whereas relief is needed to demolish the existing rear deck and construct a new deck which requires the following: 1) Variance from Section 10.521 to allow a 3.5-foot side yard where 10 feet are required. Said property is located on Assessor Map 129 Lot 18 and lies within the General Residence A (GRA) District. (LU-26-53)

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

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

- B.** The request of **801 Islington Street LLC (Owner)** and **Evergreen Yoga & Meditation, LLC d/b/a Studio 108 (Applicant)**, for property located at **801 Islington Street, Unit 33** whereas relief is needed to establish a yoga studio which requires the following: 1) Special Exception from Section 10.440 Use #4.40 to allow a yoga studio more than 2,000 square feet gross floor area. Said property is located on Assessor Map 165 Lot 8 and lies within the Character District 4-W (CD4-W). (LU-26-54)

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

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

- C. The request of **Ryan Trust (Owner)**, for property located at **221 Woodbury Avenue** whereas relief is needed to subdivide the existing parcel into two parcels, for demolition of the existing one-story detached garage and construction of a new two-story detached garage on lot 1; and a new single-family residential structure on lot 2, which requires the following: 1) Variance from Section 10.521 to allow 63 feet of frontage where 100 feet is required. Said property is located on Assessor Map 175 Lot 10 and lies within the General Residence A (GRA) District. (LU-26-57)

*The Board voted to **postpone** the petition the June 16th meeting per the applicant's request.*

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

- D. The request of **Maximillian Kolbe Hochschwender (Owner)**, and **Flybird LLC (Applicant)** for property located at **44 Rogers Street** whereas relief is needed to construct a rear addition to the existing residential structure which requires the following: 1) Variance from Section 10.521 to allow a 3-foot 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 116 Lot 45 and lies within the Mixed Residential Office (MRO) and Historic Districts. (LU-26-55)

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

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

- E. The request of **RRNR Revocable Trust (Owner)**, for property located at **111 Crescent Way** whereas relief is needed to demolish and reconstruct a detached garage which requires the following: 1) Variance from Section 10.573.20 to allow a 3-foot left side yard and a 4-foot rear yard where 8 feet is required from any lot line. Said property is located on Assessor Map 212 Lot 151 and lies within the General Residence B (GRB) District. (LU-26-58)

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

Motion: *D. Rheaume; Second: R. Sullivan*

- F. The request of **Hill Hanover Group LLC C/O JPK Properties LLC (Owner)**, for property located at **181 Hill Street** whereas relief is needed to demolish three existing multi-family buildings and to construct two new three-story multi-family buildings connected by an underground parking garage and elevated courtyard area which requires the following: 1) Variance from Section 10.5A41.10A to allow a) 1,008 square feet of lot area per dwelling unit where 3,000 feet is required, b) a building footprint of 5,232 square

feet where 2,500 square feet is the maximum, c) a building footprint of 3,035 square feet where 2,500 square feet is the maximum, d) 18% open space where 25% is required; and 2) Variance from Section 10.440 to allow 10 dwelling units in a building where up to 8 dwelling units are permitted. Said property is located on Assessor Map 125 Lot 14 and lies within the Character District 4-L1 (CD4-L1). (LU-26-59)

*A motion to **postpone** the request to July so that the applicant can eliminate the need for Variances 1d and 2 and revise Variance 1b, failed by a vote of 3-3.*

Motion: D. Rheaume; **Second:** R. Sullivan

*The Board voted to **deny** the request as presented and advertised because it is not consistent with the spirit of the Ordinance.*

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

II. ADJOURNMENT

The meeting adjourned at 9:40 p.m.