

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

7:00 P.M.

June 16, 2026

ACTION SHEET

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

MEMBERS EXCUSED: Paul Mannle

ALSO PRESENT: Stefanie Casella, Planning Department

Mr. Rossi moved to suspend the rules seconded by Vice Chair Mattson. The motion passed unanimously, 7-0.

*Mr. Rossi moved to **postpone** Item III. F, 72 Mirona Road to the July meeting per the applicant's request, seconded by Mr. Rheaume. The motion passed unanimously, 7-0.*

*Mr. Rheaume moved to **grant** Item II. C, 0 Melbourne Street, seconded by Mr. Sullivan. The motion passed unanimously, 7-0.*

I. APPROVAL OF MINUTES

A. Approval of the May 19, 2026 meeting minutes.

The May 19, 2026 meeting minutes were approved as amended.

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

B. Approval of the May 26, 2026 meeting minutes.

The May 26, 2026 meeting minutes were approved as amended.

***Motion:** J. Mattson; **Second:** D. Rheaume. T. Rossi abstained.*

II. OLD BUSINESS

- A.** The request of **Portsmouth Historical Society (Owner)**, for property located at **43 Austin Street** whereas relief is needed to convert a single-family home to an office use which requires the following: 1) Variance from Section 10.440 (Use #5.10) to allow professional office space where it is not permitted. Said property is located on Assessor Map 127 Lot 27 and lies within the General Residence C (GRC) and Historic Districts. (LU-26-43)

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

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

- B. POSTPONE TO JULY** The request of **Lonza Biologics INC (Owner)**, for property located at **34 Harvest Way** whereas relief is needed to install two illuminated wall signs and one illuminated monument sign, which requires relief from the following: 1) from Section 306.01(d) of the Pease Development Authority Ordinance to allow signs to exceed a maximum aggregate area of two (2) square feet of sign area for each linear foot of street frontage up to a maximum of 200 square feet. Said property is located on Assessor Map 305 Lot 5 and lies within the Airport Business Commercial (ABC) District. **POSTPONE TO JULY** (LU-26-12)

- C. 0 Melbourne Street – Extension Request** (LU-24-109)

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

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

- D. POSTPONE TO JULY** The request of **Hope for Tomorrow Foundation (Owner)**, for property located at **315 Banfield Road** whereas relief is needed to construct an addition to the existing school on the property, which requires the following: 1) Variance from Section 10.334 to allow the existing primary and secondary school use (Use #3.21) to be extended to another part of the remainder of the land. Said property is located on Assessor Map 266 Lot 5 and lies within the Industrial (I) District. **POSTPONE TO JULY** (LU-26-41)

- E.** The request of **Port Hunter LLC (Owner)**, for property located at **361 Miller Avenue** whereas relief is needed to construct a detached garage with a professional office space on the second floor, which requires the following: 1) Variance from Section 10.573.20 to allow a) 6 foot side yard where 10 feet are required, and b) 10 foot rear yard where 20 feet are required; and 2) Variance from Section 10.440 Use #5.10 to allow a professional office use where it is not permitted. 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 **deny** the variances for the petition as presented and advertised because the petition fails the criteria of the spirit of the ordinance, diminishes the values of the surrounding properties as a*

result of a higher structure and the impact on the nearby abutters, and the property has no hardship. There are no special conditions of the property that merit a use variance change.

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

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

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

III. NEW BUSINESS

- A.** The request of **Dan Smith Management Group LLC (Owner)**, for property located at **407 The Hill, #6-16** whereas relief is needed to convert the ground floor to a residential use, which requires the following: 1) Variance from Section 10.642 to allow residential use on the ground floor in the Downtown Overlay District where it is not permitted. Said property is located on Assessor Map 118 Lot 26-4 and lies within Character District 4-L1 (CD4-L1) and the Historic District. (LU-26-56)

*A motion was made to **grant** the request as presented and advertised, vote failed 2-5.*

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

*A motion was made to **deny** the request as presented and advertised because it fails the hardship criteria, vote failed 3-4.*

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

The request was denied due to failure to receive a passing vote.

- B.** The request of **Susan E Ingersoll (Owner)**, for property located at **46 Aldrich Road** whereas relief is needed to demolish the existing detached garage and construct a new attached garage which requires the following: 1) Variance from Section 10.521 to allow a 17.5 foot rear yard where 20 feet are required. Said property is located on Assessor Map 148 Lot 26 and lies within the General Residence A (GRA) and Historic Districts. (LU-26-65)

*The Board voted to **grant** the request as presented and advertised, acknowledging that construction materials may change but will not affect the essential characteristics of what the Board is approving.*

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

- C.** The request of **Debra M Dupont (Owner)**, for property located at **911 Sagamore Avenue** whereas relief is needed to demolish the existing sunroom and construct an addition which requires the following: 1) Variance from Section 10.531 to allow a 13 foot rear yard where 20 feet are required; and 2) Variance from Section 10.334 to allow the existing single family residential use (Use #1.10) to be extended to another part of the remainder of the land. Said property is located on Assessor Map 223 Lot 33 and lies within the Waterfront Business (WB) District. (LU-26-71)

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

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

- D.** The request of **1010 US Route 1 Bypass LLC (Owner)**, for property located at **1010 Route 1 Bypass** whereas relief is needed for a canopy sign which requires the following: 1) Variance from Section 10.1251.20 for a 95 sq. ft. canopy sign where 20 sq. ft. is allowed; and 2) Variance from Section 10.1241 for an animated sign where it is not allowed. Said property is located on Assessor Map 141 Lot 19 and lies within the Business (B) District. (LU-26-75)

*A motion to **grant** Variance 1 as presented with the following **conditions**: That the maximum amount that can be illuminated is 30 square feet. Vote failed 3-4.*

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

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

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

- E.** The request of **500 Maplewood Avenue LLC (Owner)**, for property located at **500 Maplewood Avenue** whereas relief is needed for a canopy sign which requires the following: 1) Variance from Section 10.1251.20 for a 95 sq. ft. canopy sign where 20 sq. ft. is allowed; and 2) Variance from Section 10.1241 for an animated sign where it is not allowed. Said property is located on Assessor Map 142 Lot 34 and lies within the Business (B) District. (LU-26-74)

*The applicant's representative **withdrew** the application.*

F. REQUEST TO POSTPONE The request of **Madison Commercial Group (Owner)**, for property located at **72 Mirona Road** whereas relief is needed to establish a 5,049 square foot Pilates/exercise studio which requires the following: 1) Special Exception from Section 10.440 Use #4.42 to allow a 5,049 square foot health club, yoga studio, or similar use where more than 2,000 square feet are allowed by Special Exception. Said property is located on Assessor Map 253 Lot 3 and lies within the Gateway Center (G2) District. **REQUEST TO POSTPONE** (LU-26-76)

*The Board voted to **postpone** the request to the July 21st meeting.*

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

G. The request of **Prescott Family Revocable Trust (Owner)**, for property located at **306 South Street** whereas relief is needed to build a chicken coop and have chickens, which requires the following: 1) Special Exception from Section 10.440 Use #17.20 to allow the keeping of farm animals where it is allowed by Special Exception. Said property is located on Assessor Map 253 Lot 3 and lies within the Single Residence B (SRB) and Historic Districts. (LU-26-64)

*The Board voted to **grant** the request as presented and advertised, and the special exception is vested without issuance of a building permit because it is not needed for the construction of the chicken coop. The following conditions apply:*

1) That a maximum of 8 hens and no roosters will be raised.

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

IV. ADJOURNMENT

The meeting adjourned at 11:53 p.m.