

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

7:00 P.M.

August 18, 2026

ACTION SHEET

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

MEMBERS EXCUSED: Thomas Rossi;

ALSO PRESENT: Stefanie Casella, Planning Department

I. APPROVAL OF MINUTES

A. Approval of the July 21, 2026 meeting minutes.

The July 21, 2026 meeting minutes were approved as presented.

***Motion:** D. Rheaume; **Second:** T. Nies. Vice Chair Mattson abstained.*

II. OLD BUSINESS

A. POSTPONED TO SEPTEMBER 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.
POSTPONED TO SEPTEMBER (LU-26-41)

B. WITHDRAWN The request of **Madison Commercial Group (Owner)**, for property located at **72 Mirona Road** whereas relief is needed to establish a 5,049 square foot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.
WITHDRAWN (LU-26-76)

- C. The request of **Jonah Goldblatt and Gabrielle Dell'Aquilo (Owners)**, for property located at **292 Wibird Street** whereas relief is needed to demolish the existing detached garage and construct a new two-story attached garage addition and enlarged rear deck, which requires the following: 1) Variance from Section 10.521 to a) allow a building coverage of 31% where 25% is the maximum; b) allow a left side yard setback of 4.5 feet where 10 feet is required; and c) allow a right side yard setback of 2.5 feet where 10 feet is required. Said property is located on Assessor Map 149 Lot 25 and lies within the General Residence A (GRA) District. (LU-26-88)

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

Motion: J. Mattson; **Second:** R. Sullivan

- D. The request of **Michael J Ferrelli (Owner)**, for property located at **0 Joffre Avenue and 18 Barberry Lane** whereas relief is needed to construct a single-family home on a vacant lot which requires the following: 1) Variance from Section 10.521 to a) allow for 0 feet of street frontage where 100 feet is required; b) allow for 12,185 square feet of lot area where 15,000 square feet is required; c) allow for 12,185 square feet of lot area per dwelling where 15,000 square feet is required; and 2) Variance from Section 10.1114.31 to allow for two driveways on a single lot where one is permitted. Said properties are located on Assessor Map 233, Lot 135 and Lot 131 and lie within the Single Residence B (SRB) District. (LU-26-92)

*The Board voted to **postpone** the public hearing and request to the September 15th meeting, so that the applicant can provide information on how and when driveway access will be provided to lot 233-135 and information on adopting the portion of Joffre Avenue to add square footage to the applicant's lot.*

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

- E. The request of **Kaitlyn O and Brendan A West (Owners)**, for property located at **315 Bartlett Street** whereas relief is needed to demolish the existing home and construct a new home on the lot which requires the following: 1) Variance from Section 10.521 to a) allow a 9.5-foot left side yard where 10 feet is required; b) a 7-foot right side yard where 10 feet is required; and c) 60 feet of street frontage where 100 feet is required. Said property is located on Assessor Map 162 Lot 12 and lies within the General Residence A (GRA) District. (LU-26-93)

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

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

- F. The request of **Brian and Martha Ratay (Owners)**, for property located at **475 Broad Street** whereas relief is needed to construct a detached garage which requires the following: 1) Variance from Section 10.521 to a) allow 30% building coverage where 25% is allowed; b) a 5-foot right side yard where 10 feet are required; and c) 5.5-foot rear

yard where 14 feet are required. Said property is located on Assessor Map 221 Lot 96 and lies within the General Residence A (GRA) District. (LU-26-95)

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

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

III. NEW BUSINESS

- A. The request of Boston and Maine Corporation (Owner) and Outfront Media (Applicant),** for property located at **0 Bartlett Street** whereas relief is needed to replace a one-sided static billboard with an animated billboard which requires the following: 1) Variance from 10.1224.10 to allow an animated sign where it is not allowed; 2) Variance from Section 10.1224.90 to allow an off-premise sign where it is not allowed; 3) Variance from Section 10.1234 to allow a sign not specifically allowed in a sign district; 4) Variance from Section 10.1241 to allow a sign not permitted in a sign district; 5) Variance from Section 10.1251.20 to allow sign area of 378 sq feet where the maximum is not specified; 6) Variance from Section 10.1253 to allow a sign height of 25 feet and sign setback of 1.5 feet where the minimums and maximums are not specified; 7) Variance from Section 10.1262 to allow 24 hours of illumination throughout the day. Said property is located on Assessor Map 165 Lot 14 and lies within the Transportation Corridor. (LU-26-87)

*The Board voted to **deny** the requests as presented and advertised because they fail the following criteria: 10.233.21 granting the variance would not be contrary to the public interest, 10.233.22 granting the variance would observe the spirit of the Ordinance, 10.233.23 granting the variance would do substantial justice, and 10.233.25 the hardship criteria.*

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

- B. POSTPONED TO AUGUST 25, 2026** The request of **Road to the West, LLC (Owner),** for property located at **140 West Road** whereas relief is needed to establish an indoor recreation space, restaurant, event space, and outdoor dining area which requires the following: 1) Variance from Section 10.440 to allow a) Use #9.43, a restaurant and function room with an occupant load from 250 to 500 where it is not allowed, b) Use #4.30, indoor recreation use where it is not allowed, and c) Use #19.50, outdoor dining as accessory use to a permitted principal use. Said property is located on Assessor Map 252 Lot 2-1301 and lies within the Industrial (I) District. **POSTPONED TO AUGUST 25, 2026** (LU-26-107)
- C. POSTPONED TO SEPTEMBER** The request of **Ann Marie Wiley Revocable Trust (Owner),** for property located at **64 Woodworth Avenue** whereas relief is needed to construct an addition to the existing structure which requires the following: 1) Variance from Section 10.521 to allow a) 8.5 foot left yard where 10 feet are required, and b) 26% building coverage where 20% is the maximum. Said property is located on Assessor Map

243 Lot 42 and lies within the Single Residence B (SRB) District. **POSTPONED TO SEPTEMBER** (LU-26-102)

IV. ADJOURNMENT

The meeting adjourned at 10:15 p.m.