

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

7:00 P.M.

September 15, 2026

ACTION SHEET

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

MEMBERS EXCUSED:

ALSO PRESENT: Stefanie Casella, Planning Department

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

*Mr. Nies moved to **postpone** Item II. B, 64 Woodworth Avenue to the October meeting per the applicant's request, seconded by Mr. Rheaume. The motion passed unanimously, 7-0.*

*Mr. Rheaume moved to **postpone** Item III. A, 50 Whidden Street to the October meeting per the applicant's request, seconded by Mr. Nies. The motion passed unanimously, 6-0 with Chair Margeson recused.*

I. APPROVAL OF MINUTES

A. Approval of the August 18, 2026 meeting minutes.

The August 18, 2026 meeting minutes were approved as amended.

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

B. Approval of the August 25, 2026 meeting minutes.

The August 25, 2026 meeting minutes were approved as amended.

Motion: D. Rheaume; **Second:** J. Mattson. M. Lucas abstained.

II. OLD BUSINESS

A. POSTPONE 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** (LU-26-41)

- B. REQUEST TO POSTPONE** 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. **REQUEST TO POSTPONE** (LU-26-102)

*The Board voted to **postpone** the request to the October 20th meeting.*

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

- C.** 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)

Mr. Rheume moved to suspend the rules and reopen the public hearing for the continuation of the discussion of Item II. C, 0 Joffre Avenue and 18 Barberry Lane, seconded by Mr. Nies. The motion passed unanimously, 7-0.

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

- 1) That an agreement, deed, covenant, or other written instrument of similar effect shall be approved by the City Legal Department and recorded with the Registry of Deeds reserving a driveway access agreement across tax map 233 lot 131 to tax map 233 lot 135 prior to issuance of a building permit for this lot; and*
- 2) The exact location and configuration of the driveway across tax map 233 lot 131 to tax map 233 lot 135 may be modified by the Department of Public Works or the Fire Department prior to issuance of a driveway permit.*

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

- D.** The request of **Kathleen B. and Kent A. Logan, Susan E. Lassen, Scott A. Lupkas, and Guy D. and Elizabeth R. Spiers (Appellants)**, for appeal of decision of administrative officials to classify the art studio attached to the side of the third dwelling

unit as an R2 non-transient sleeping unit for property located at **28 Blossom Street**. Said property is located on Assessor Map 111 Lot 40 and lies within the General Residence B (GRB) and Historic Districts. (LU-26-114)

*The Board voted to **deny** the appeal because the physical changes requested by the Code Official would not convert the space into something other than an art studio and there is nothing in those physical changes that is incompatible with the use of an art studio.*

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

III. NEW BUSINESS

- A. REQUEST TO POSTPONE** The request of **Christopher H Daniell (Owner)**, for property located at **50 Whidden Street** whereas relief is needed to construct a rear addition and cantilevered deck which requires the following: 1) Variance from Section 10.521 to allow a 9.5 foot rear yard where 25 feet are required. Said property is located on Assessor Map 102 Lot 66 and lies within the General Residence B (GRB) and Historic Districts. **REQUEST TO POSTPONE** (LU-26-15)

*The Board voted to **postpone** the request to the October 20th meeting.*

Motion: D. Rheaume; **Second:** T. Nies. Chair Margeson recused.

IV. ADJOURNMENT

The meeting adjourned at 8:59 p.m.