

April 22, 2026

City of Portsmouth
Planning and Sustainability Department
1 Junkins Avenue
Portsmouth, NH 03801

RE: Variance Application for 40 Merrimac Street – Tax Map 129, Lot 18 (GRA District)
Eldredge Place Condo Association

Dear Planning Department Staff and Members of the Zoning Board of Adjustment,

Enclosed, please find the following supporting documents pertaining to our online portal Land Use Application:

- 1) Narrative for Variance Application
- 2) Five Variance Criteria (Section 10.233.20 Zoning Board of Adjustment)
- 3) Tax Map (MapGeo) including abutting streets
- 4) Tax Map (MapGeo) specific to Map 129 – Lot 18
- 5) Condominium Site Plan (Aug 17, 1987) showing lot lines, existing building and parking area
- 6) Condo Association Approval (three units, 3 owners)
- 7) Existing and Proposed Plan with Photos
- 8) Contractor Drawing
- 9) Abutters Support Statements

If you have any questions or concerns regarding the online application or any of the associated materials pertaining to the variance request, please don't hesitate to contact me.

Sincerely,
Peter Carpenter – 40 Merrimac Street (Unit 1)
(603) 380-2876 / wingnutz007@comcast.net

A handwritten signature in black ink, appearing to read "Peter Carpenter", with a long horizontal flourish extending to the right.

On Behalf of Eldredge Place Condo Association:
Peter and Denise Carpenter (Unit 1)
Maarten and Johanna de Ruiter (Unit 2)
Susan T. Barrow (Unit 3)

Part 1: Narrative for Variance Application

I'd like to begin by providing a just brief history on the property, with a few milestones. The structure currently occupying the space at 40 Merrimac Street was built in the 1870s, and served as the carriage house for 10 Merrimac Street, collectively known as the Eldredge Estate. This two-building estate was originally owned by H. Fisher Eldredge and family, founders of the then-prominent Eldredge Brewing Company.

Longtime Portsmouth residents will remember the carriage house at 40 Merrimac St. serving as the local YWCA building back in the 1960s - 1970s.

In 1987, the vacant building began its conversion to three conjoined townhouse style condominiums, initiated by Richard E. Sullivan (Sullivan Builders). Included in this conversion was the construction of a 48' x 8' attached deck, with the 48' dimension spanning the full length of the structure's rear, the 8' dimension extending from the rear of the structure into the back yard, with the full deck elevated approximately 6' off the ground.

Presently, the three townhouse owners of 40 Merrimac Street (Eldredge Place Condo Association), wish to remove the existing pressure treated lumber deck due to deteriorating physical conditions, and replace it with a new composite deck. For the rebuild, our hope is to add an additional 2 feet of depth, making the finished deck 48' x 10'.

A Variance is required for the additional 2' of depth, and existing non-conforming side setback (City of Portsmouth Zoning Ordinance - Section 10.520 / Table 10.521 - GRA Standard).

Current side setback standard: 10'

Existing setback: 6'

Proposed setback: 4'

Building coverage increase is negligible:

Current building coverage for GRA District: 25%

Existing footprint including 48' x 8' deck: 2,436 sq' = 12.08% coverage

Proposed footprint including 48' x 10' deck: 2,532 sq' = 12.56% coverage

Part 2: Five Variance Criteria (Section 10.233.20 Zoning Board of Adjustment)

10.233.20 In order to authorize a variance, the Board must find that the variance meets all of the following criteria:

10.233.21 The variance will not be contrary to the public interest

The 2 foot depth extension request on our existing deck will not present any negative impact by changing the essential character of the neighborhood, and likewise will not result in harmful conditions to neighborhood residents, guests, and the general public at large. Specifically, the proposed extension to the existing deck footprint will not create noise or foot traffic, will not inhibit existing sightlines for neighbors, and will keep with the neighborhood's current aesthetics.

10.233.22 The spirit of the Ordinance will be observed

Adding an additional 96 square feet to our building footprint would result in a negligible increase to 12.6% lot coverage, where 25% is code for GRA zone.

Although our proposed side setback will sit at approximately 4', where 10' is required according to GRA zone setback code, there exists ample light, air and open space between the proposed outer dimension of our southeasterly rear abutter's new back parking lot, which begins at 27' from our proposed setback. The closest point between our carriage house style building and our rear abutting neighbor's residential brick building would be approximately 210' (70 yards).

10.233.23 Substantial justice will be done

There will be no benefit to the general public in denying our request, focusing especially on direct abutters and other nearby neighbors with or without sightlines to the deck structure.

Conversely, if granted the additional 2' depth to our existing narrow deck, the approximate 30 additional square feet of usable deck space for each of the three townhouse owners would certainly result in higher usage and enjoyment during the warmer months.

10.233.24 The values of surrounding properties will not be diminished

We have a sincere belief that upgrading our existing deck will have a positive impact on surrounding properties from an aesthetic standpoint, which in turn will result in increased property value not only for the applicants, but for surrounding homes as well.

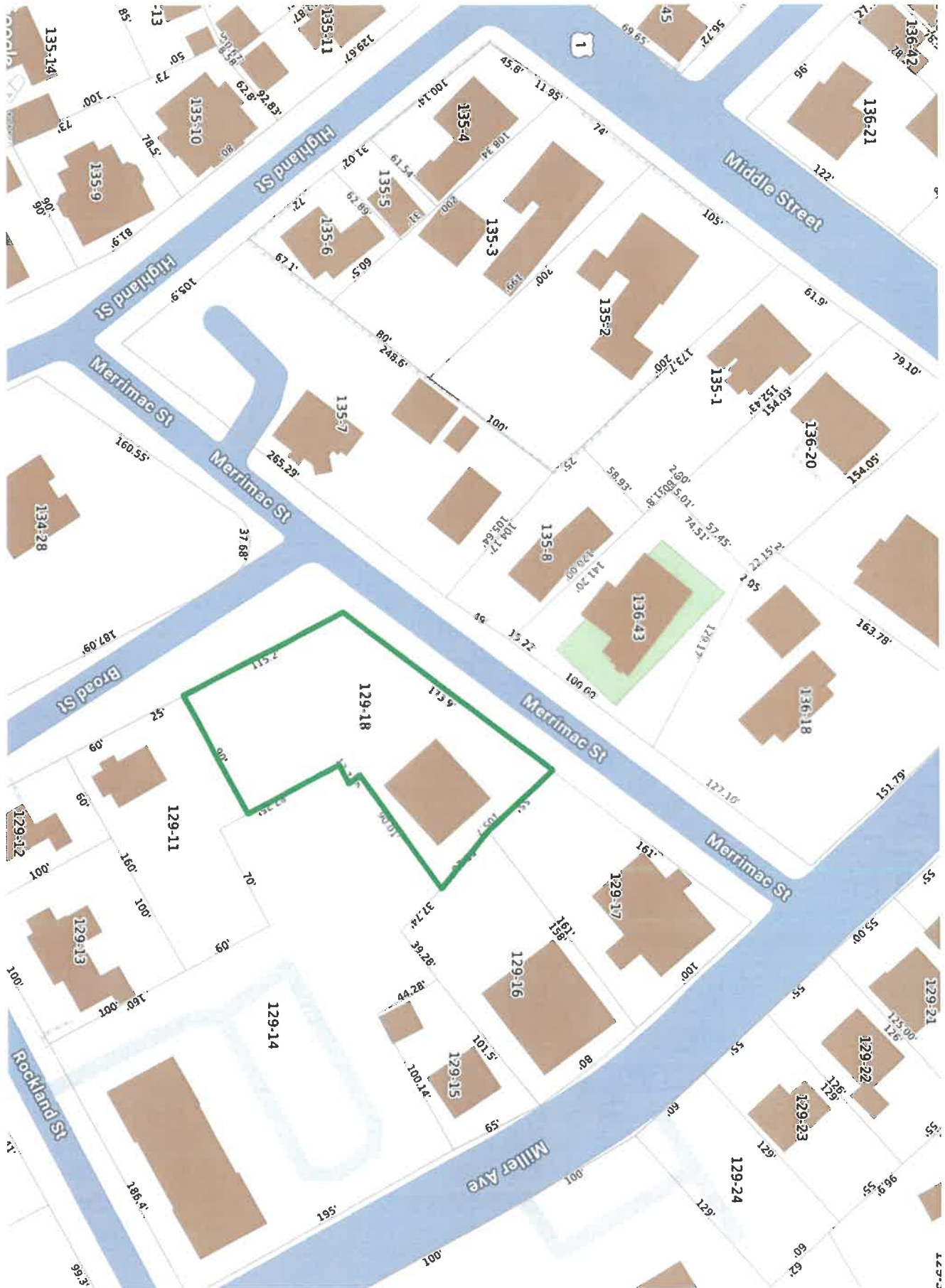
As two of our four direct property line abutters possess well maintained brick structures allowing for multiple residents, many of the homes in our neighborhood are similar to ours in size and style of architecture common in the late 1800s – early 1900s.

10.233.25 Literal enforcement of the provisions of the Ordinance would result in an unnecessary hardship

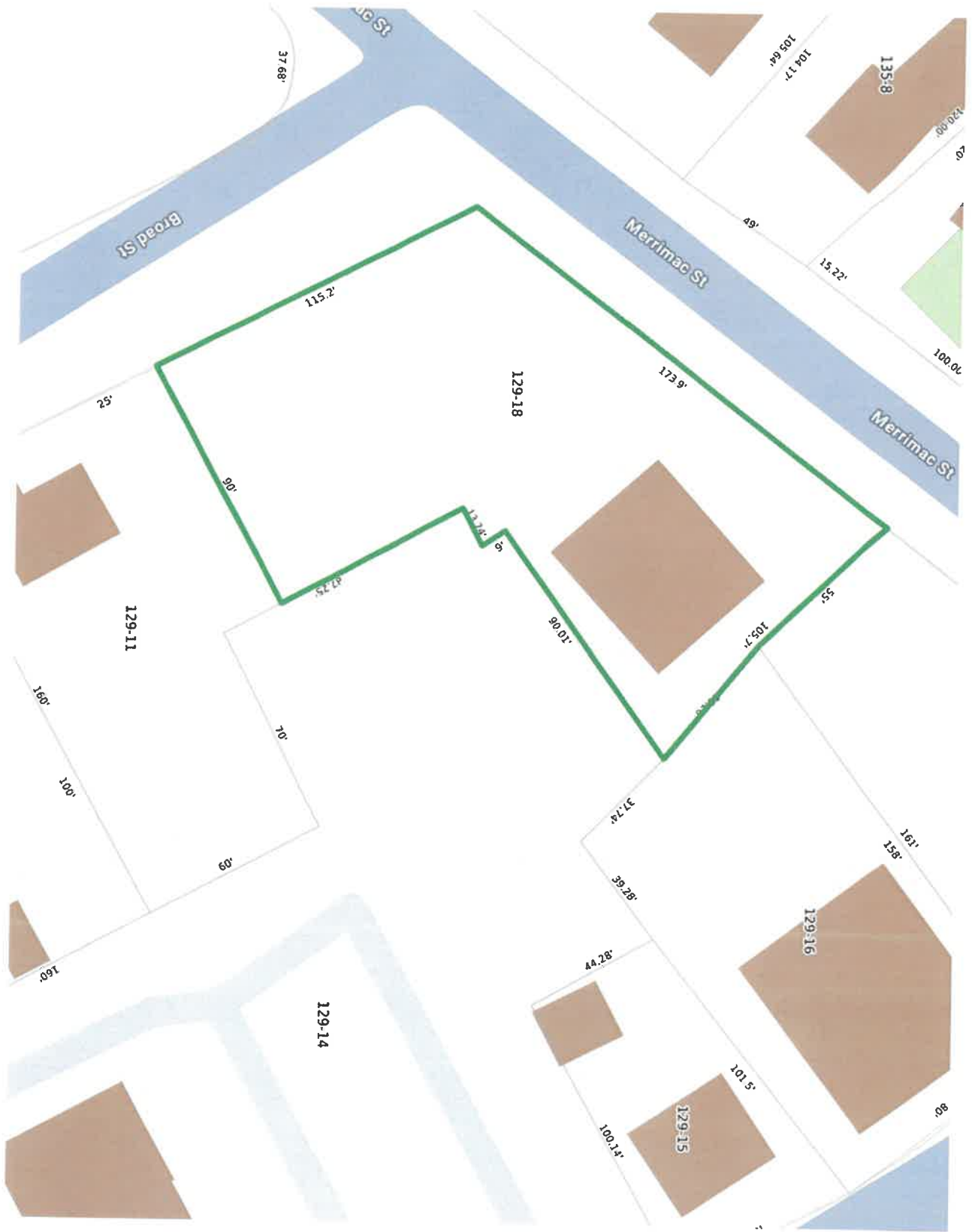
Although our carriage house sits on a nearly ½ acre parcel of land, aptly described as an 'odd shaped lot' in various city building documents, we unfortunately have to contend with a very limited existing side physical setback, especially at the S-SW facing corner.

We feel that our variance request is reasonable based on our limited ability to expand our single structure footprint, and recognize that if granted the variance, further side expansion will not be a realistic endeavor.

PART 3 : TAX MAP (MAP GEO) INCLUDING ABUTTING STREETS



PART 4: TAX MAP (MAPGEO) SPECIFIC TO MAP 129 - LOT 18 (GRA)



PART 6

Deck Project Approval – 40 Merrimac St. Portsmouth, NH 03801

The owners of Eldredge Place Condo Association, located at 40 Merrimac Street – Portsmouth, NH 03801 are in agreement to commence existing deck demolition and new deck construction with an additional two feet of depth, dependent on City of Portsmouth Zoning Board of Adjustment variance approval.

Unit 1  Date: APRIL 12, 2026
Peter and Denise Carpenter

Unit 2  Date: 04/13/26
Maarten and Johanna de Ruiter

Unit 3  Date: 4/12/26
Susan T. Barrow

Part 7: Photos

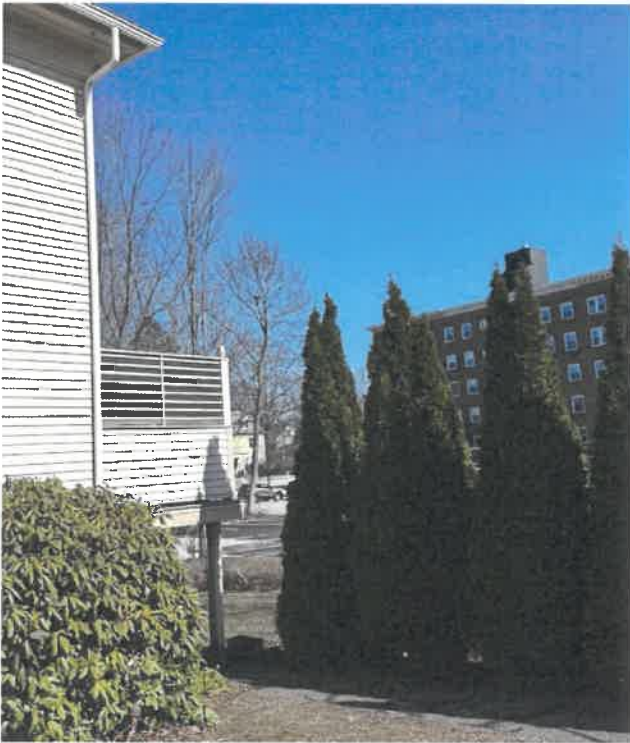
Aerial view of 40 Merrimac Street with existing 48' x 8' deck on rear of structure.



Aerial view of 40 Merrimac Street with proposed 48' x 10' deck on rear of structure (2 additional feet).



Existing 8' depth facing rear abutter.



View of rear abutter from far-right deck support. Ample light, air and open space exist between the two structures.



Existing 48' x 8' deck, rear view.



Line for proposed 2' added depth (48' x 10').



Existing horizontal louvered privacy lumber (top section of perimeter deck wall) will not be replaced. Existing vertical cedar (bottom interior section of perimeter deck) will be replaced by tongue and groove v-notch PVC, and overall height will increase from 39" to 48", with composite top rail. Exterior of perimeter deck will be replaced with new cedar clapboard.



Existing wood privacy decks will be replaced with new cedar clapboard and PVC trim. Height will be reduced from 88" (7'4") to 72" (6'), and will angle down to the new height of interior perimeter deck wall at 4'. Pressure treated decking will be replaced by composite decking.



Carpenter Deck Framing

4'-2x4 pt 16" OC Railing
Framing-1/16 Sheathing + 5' 1/2" cedar siding

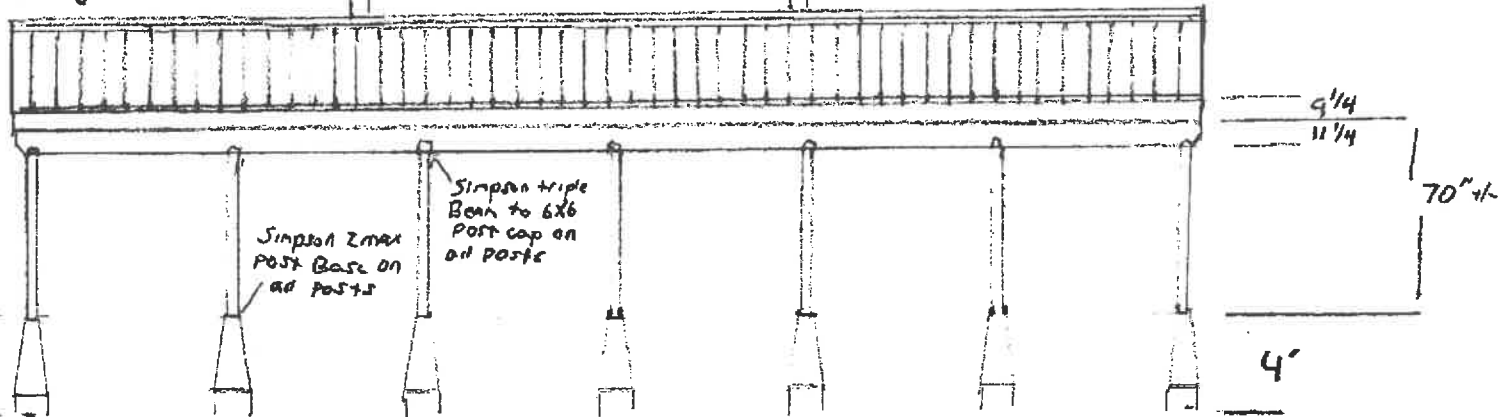
6' Divider
walls

4'
2x8 Rim

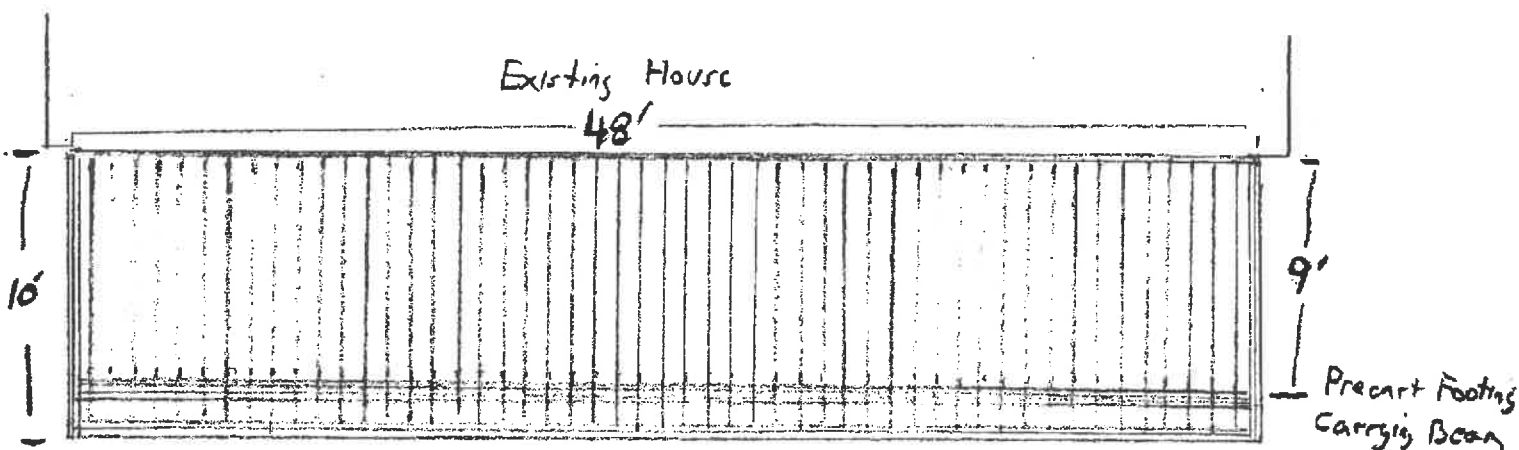
2x10 Carrying
Beam

Finish Grade

Bottom of Footings
4' Precast concrete Pier



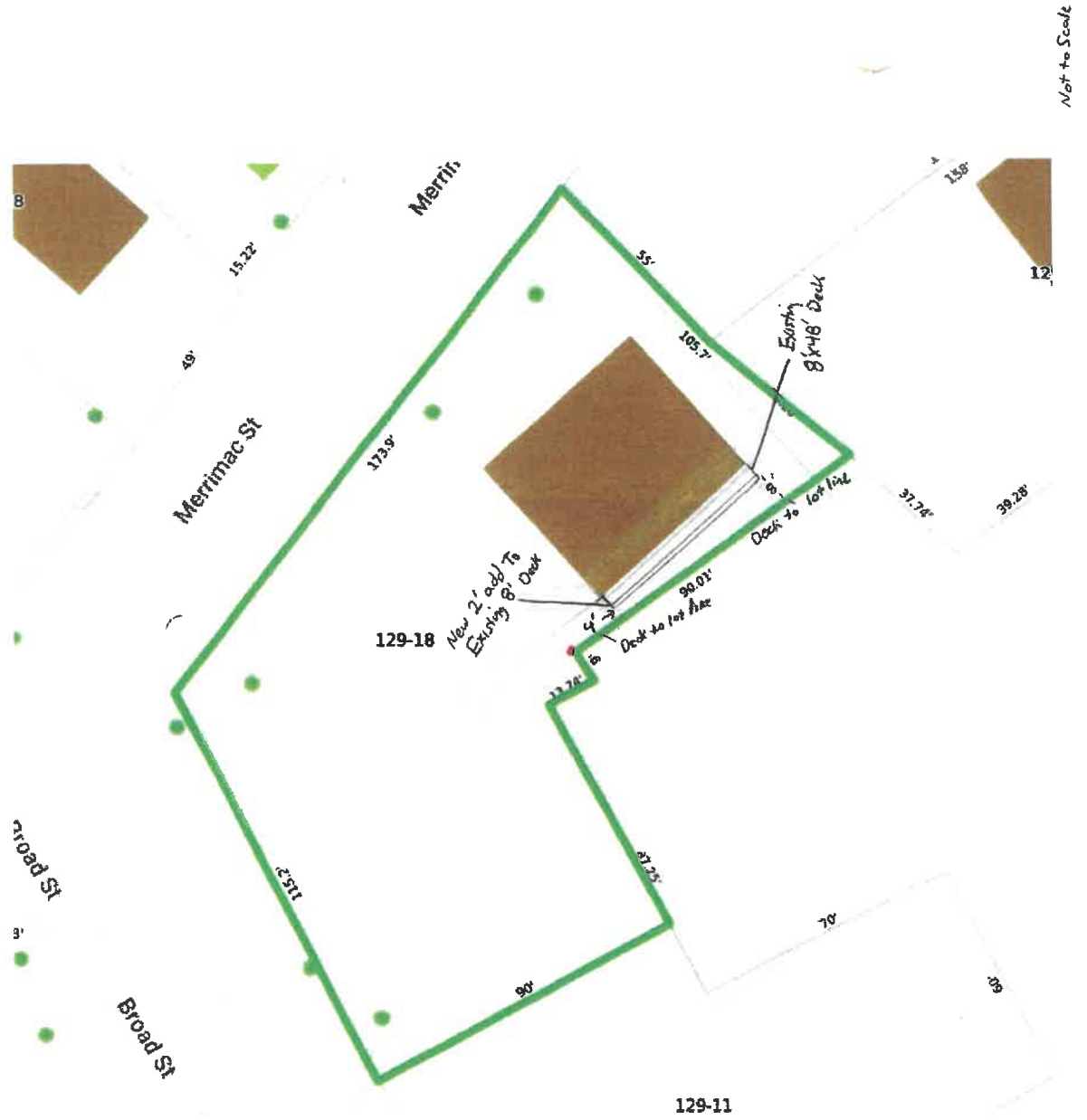
Existing House
48'



- 2x8 x 48' PT Ledger Board attached to house Framing with 5" Ledger lock screws
- Double 2x8 PT Rim Boards
- 2x8x10' PT Joists 16" on center with Zmax Joist hanger to ledger board
- Triple 2x10x48' PT carrying Beam 12" in from Rim Joist
- 7 6x6 PT Post supports 2x10 Beam on 4' precast footings Triple

Not To Scale

PART 8B



PART 9

To: Portsmouth Zoning Board of Adjustment

Date: 4/13/26

Subject: Variance Request - Property Located at 40 Merrimac Street

Dear Zoning Board Members,

We are writing to express support for our neighbors at 40 Merrimac Street, in their efforts to secure a variance for the additional 2 feet of depth on their new deck construction proposal.

The additional 2 feet requested will not present any negative impact or disruptions in the neighborhood, will enhance the property in staying consistent with the existing home structure, and will not obstruct our sightlines or otherwise present any hardships for our neighborhood.

Thank you for your time and consideration.

Sincerely,

Ben Iezyk

85 Merrimac St.

Name and Address:

Portsmouth, NH 03801



To: Portsmouth Zoning Board of Adjustment

Date: 4/13/24

Subject: Variance Request - Property Located at 40 Merrimac Street

Dear Zoning Board Members,

We are writing to express support for our neighbors at 40 Merrimac Street, in their efforts to secure a variance for the additional 2 feet of depth on their new deck construction proposal.

The additional 2 feet requested will not present any negative impact or disruptions in the neighborhood, will enhance the property in staying consistent with the existing home structure, and will not obstruct our sightlines or otherwise present any hardships for our neighborhood.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink that reads "Samantha King". The signature is written in a cursive, flowing style.

Name and Address:

Samantha King
45 Miller Ave
Portsmouth NH

To: Portsmouth Zoning Board of Adjustment

Date: 4-15-26

Subject: Variance Request - Property Located at 40 Merrimac Street

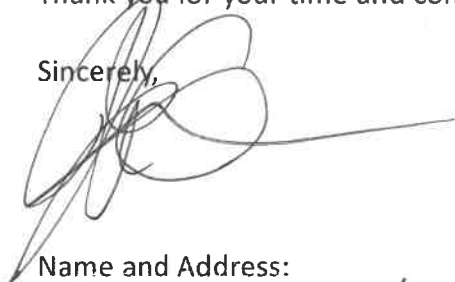
Dear Zoning Board Members,

We are writing to express support for our neighbors at 40 Merrimac Street, in their efforts to secure a variance for the additional 2 feet of depth on their new deck construction proposal.

The additional 2 feet requested will not present any negative impact or disruptions in the neighborhood, will enhance the property in staying consistent with the existing home structure, and will not obstruct our sightlines or otherwise present any hardships for our neighborhood.

Thank you for your time and consideration.

Sincerely,



Name and Address:

John Quintiliani
77 Merrimac St
Portsmouth NH 03801

To: Portsmouth Zoning Board of Adjustment

Date: 4/17/2026

Subject: Variance Request - Property Located at 40 Merrimac Street

Dear Zoning Board Members,

We are writing to express support for our neighbors at 40 Merrimac Street, in their efforts to secure a variance for the additional 2 feet of depth on their new deck construction proposal.

The additional 2 feet requested will not present any negative impact or disruptions in the neighborhood, will enhance the property in staying consistent with the existing home structure, and will not obstruct our sightlines or otherwise present any hardships for our neighborhood.

Thank you for your time and consideration.

Sincerely,

Kagen Robertson of Miller Residences LLC

Name and Address:

96 Miller Ave
Portsmouth, NH

To: Portsmouth Zoning Board of Adjustment

Date:

Subject: Variance Request - Property Located at 40 Merrimac Street

Dear Zoning Board Members,

We are writing to express support for our neighbors at 40 Merrimac Street, in their efforts to secure a variance for the additional 2 feet of depth on their new deck construction proposal.

The additional 2 feet requested will not present any negative impact or disruptions in the neighborhood, will enhance the property in staying consistent with the existing home structure, and will not obstruct our sightlines or otherwise present any hardships for our neighborhood.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in cursive script that reads "Carolyn Vibbert".

Name and Address: CAROLYN VIBBERT
69 BROAD ST.