

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

7:00 P.M.

February 19, 2025

ACTION SHEET

MEMBERS PRESENT: Beth Margeson, Vice Chair; David Rheaume; Paul Mannle; Jeffrey Mattson; Thomas Nies; Jody Record, Alternate

MEMBERS EXCUSED: Phyllis Eldridge, Chair; Thomas Rossi

ALSO PRESENT: Jillian Harris, Planning Department

I. APPROVAL OF MINUTES

A. Approval of the January 22, 2025 meeting minutes.

The January 22, 2025 minutes were approved as amended.

Motion: J. Mattson; ***Second:*** J. Record

B. Approval of the January 28, 2025 meeting minutes.

The January 28, 2025 minutes were approved as submitted.

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

II. OLD BUSINESS

A. 84 Pleasant Street - Rehearing Request (LU-24-219)

*The Board voted to **grant** the request to rehear item 2b only at the March 18, 2025 meeting.*

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

B. 222 Court Street – Extension Request (LU-23-12)

*The Board voted to **grant** the 1-Year extension.*

Motion: P. Mannle; **Second:** D. Rheume

Mr. Rheume recused himself from the vote on the following petition:

- C.** The request of **361 Hanover Steam Factory LLC (Owner)**, and **Hampshire Development Corporation LLC (Applicant)**, for property located at **361 Hanover Street** whereas relief is needed to expand and renovate the existing commercial building and convert it to multi-family residential and to construct three new multi-family residential buildings which requires the following: 1) Variance from Section 10.642 to allow residential principal uses on the ground floor of the buildings; and 2) Variance from Section 10.5A41 - Figure 10.5A41.10D to a) allow for "Apartment", "Rowhouse" and "Duplex" building types where they are not permitted; and b) allow a ground floor height of 10.5 feet where 12 feet is required. Said property is located on Assessor Map 138 Lot 63 and lies within the Character District 5 (CD5) District and the Downtown Overlay District. (LU-24-196)

*The Board voted to **grant** the request with the following **condition**:*

1) The design and location of the buildings may change as a result of Planning Board review and approval.

Motion: J. Mattson; **Second:** J. Record

- D.** The request of **Millport INC (Owner)**, for property located at **1001 Islington Street** whereas relief is needed for a change of use to extend the existing health club into the adjacent unit wherein relief is required from the Zoning Ordinance including the following special exception from Section 10.440, Use #4.42 to allow a health club greater than 2,000 s.f. of gross floor area. Said property is located on Assessor Map 172 Lot 4 and lies within the Character District 4-W (CD4-W). (LU-24-209)

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

Motion: D. Rheume; **Second:** P. Mannle

III. NEW BUSINESS

Mr. Nies recused himself from the vote on the following petition:

- A.** The request of **Paula J. Reed Revocable Trust (Owner)**, for property located at **410 Richards Avenue** whereas an equitable waiver is needed for the construction of a garage which requires the following: 1) Equitable waiver for an accessory structure with a 3-foot left

side yard where 3.5 feet was previously granted. Said property is located on Assessor Map 112 Lot 10 and lies within the General Residence A (GRA) District. (LU-25-10)

*The Board voted to **grant** the request for an equitable waiver with the following **condition**:*

1) This approval will correct the relief granted for the left side yard where it was noted as the right side yard in the December 19, 2023 variance approval.

Motion: D. Rheume; **Second:** P. Mannle

B. The request of **Paula J. Reed Revocable Trust (Owner)**, for property located at **410 Richards Avenue** whereas an after the fact variance is needed for the construction of a garage which requires the following: 1) Variance from Section 10.521 to permit a 3-foot left yard where 3.5 feet were previously granted. Said property is located on Assessor Map 112 Lot 10 and lies within the General Residence A (GRA) District. (LU-25-11)

*The request was **withdrawn** by the applicant, as her petition III. A was granted.*

IV. ADJOURNMENT

The meeting was adjourned at 9:54 PM.