

May 22, 2025

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Zoning Board of Appeals
City of Portsmouth, NH

Re: Opposition to Variance Request for 636 Lincoln Ave

Dear Members of the Zoning Board,

We are writing to formally oppose the variance request submitted for the property located at 636 Lincoln Ave. While we respect our neighbors' desire to improve their home, we have concerns based on the following:

1. **Incorrect Property Line Referenced:** The submitted plans incorrectly state that the existing garage is two feet off the rear property line. In fact, the rear of their garage sits directly on our shared property line. This discrepancy means that the proposed addition would be only 14 feet from our property line, not the 16 feet noted in the variance request.
2. **Ongoing Lot Coverage Increases:** This property was originally constructed as a 1,500-square-foot, 3-bedroom, 1-bath home. In 2012, a variance allowed the previous owners to add a 900-square-foot addition, increasing the lot coverage to 38.4%, well above the 25% limit. The current application requests a variance for 39% lot coverage, which reflects the property's existing footprint. However, the proposed addition would push lot coverage beyond 40%, a detail that is not accurately represented in the application. Approving this variance would not only exceed the existing coverage but also reinforce a pattern of surpassing zoning limits, setting a concerning precedent for unchecked expansion in our neighborhood.
3. **Impact on Our Privacy:** The garage currently on their property creates a visual barrier between our properties that would be eliminated if the garage is removed. Our property sits at a higher elevation, meaning the proposed addition's windows would look into our yard at eye level. This significantly impacts our privacy and the use of our outdoor space.
4. **Structural Concerns with Garage Removal:** We are concerned that removing the existing garage, which currently serves as a buffer between our properties, could have structural implications due to the difference in elevation. Specifically, we question whether its removal would necessitate the installation of a retaining wall on our side to maintain stability and prevent erosion or shifting, which could impose an unfair burden on us.

Keeping in mind the 5 Criteria:

Per Section 10.322.21 – *The new structure would be in staying within the character of the neighborhood.*

The houses in the neighborhood are a mix of styles, but >40% lot coverage is characteristic of the Strawberry Banke neighborhood, not ours.

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Per Section 10.322.22 – *It would improve the safety and health of the homeowners and the neighborhood.*

Removing the garage poses a safety concern for our property with the removal of a, non-crumbling, retaining structure that has been in place for decades.

Per Section 10.322.23 – *Substantial justice is done.*

The potential impact to our property through removal of the retaining structure and the invasive placement of the project to ours as direct abutters indicates that substantial justice is not done.

Per Section 10.233.24 – *The value of the surrounding properties is not diminished.*

The value of our property is potentially negatively impacted by the removal of the retaining structure and the invasion of privacy given the scale and location of the addition. This home was recently renovated and added on to in 2013, not multiple decades ago as implied in this application. It has been updated, evidenced by real estate listing photos and the listing posted when the current owners purchased the home in less than 5 years ago.

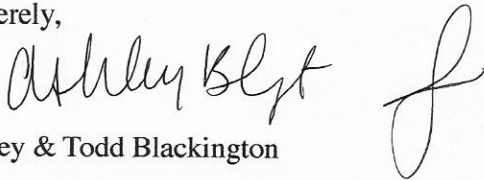
Per Section 10.233.25 – *Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship.*

The current structure on the property occupies 38.4% of the lot, from a previous variance in 2012, along with an updated floorpan, per the 2021 real estate listing description “Completely renovated from the foundation up in 2013, this home blends historical charm w/ all the modern amenities you could ask for.” Granting this variance allows for more than the proposed 2.3% lot coverage relief. Enforcing the provisions of the ordinance ensures the integrity and character of the neighborhood does not continue to erode in favor of building homes completely outsized for the available lot.

Granting this variance will create unnecessary hardship for the direct rear abutters, to ensure the stability and safety of our property also remains intact for our family and young children. The scope, location and proximity of the proposed addition is invasive to us as direct abutters and we oppose this application as direct abutters to the property.

We respectfully ask that you take these concerns into account and deny the variance request as currently proposed.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ashley Blackington", followed by a large, stylized flourish.

Ashley & Todd Blackington

From: [Planning - Info - Shr](#)
To: [Jan L. Crockett](#)
Subject: FW: Public Comment for BOA 4/22
Date: Monday, April 21, 2025 11:47:32 AM

From: Richard Palermo <rjpalermo55@gmail.com>
Sent: Monday, April 21, 2025 9:31 AM
To: Planning - Info - Shr <Planning@portsmouthnh.gov>
Subject: Letter of objection to 86 Farm Lane

You don't often get email from rjpalermo55@gmail.com. [Learn why this is important](#)

To: The Chair of the Board, Planning Department
From: Richard Palermo and Pilar Pardo, 55 Meadow Road (homeowners since 1998)
Date: April 20, 2025

We are writing to express our objection to the request of Jeannette MacDonald for property located at 86 Farm Lane. It is my belief that this request is contrary to the public interest and therefore should be denied for the following reasons:

Section 10.243.24 of the Zone ordinance states the proposed structures, uses, or activities will not have significant adverse impacts on abutting and surrounding properties on account of traffic, noise, odors, vibrations, dust, fumes, hours of operation, and exterior lighting and glare.

- Approval of this request would result in a significant increase in noise due to the removal of the natural sound barrier provided by existing trees, bushes and shrubs. There are four lanes of traffic from Rt 16 and six lanes of traffic from Rt 95 that generate significant road noise. The city is currently working to mitigate road noise from Rt 95. It is contrary to that interest to remove an existing natural sound barrier that will cause noise to increase in this same area.

Section 10.243.25 of the Zone Ordinance states the proposed structures and uses will not have significant adverse impacts on natural or scenic resources surrounding the site, including wetlands, floodplains, and significant wildlife habitat.

- Lot 236-74 and the adjacent property 236-73 are home to a diverse wildlife population including but not limited to deer, rabbit, coyote, fisher cat and bobcat as well as many bird species such as red-tailed hawk, turkey and an occasional duck. Reducing this natural landscape will have an adverse effect on this population by reducing or eliminating this habitat. It is further likely to increase an already large rodent population by removing natural predators from the area.

Section 10.243.26 of the Zone ordinance states the proposed use will not cause or contribute to a significant decline in property values of adjacent properties.

- Approval of this request would have multiple negative effects that ultimately would lead to the decline in property value of many lots on Meadow Road in the range of 236-66 through 236-79.
 - Approval of this request would take a single conforming lot (236-74) and turn it into three non-conforming lots (236-74, 236-74-1, 236-74-2).
 - In so doing, it would set a negative precedent that would allow additional non-forming lots to be created in the area, specifically lot 236-73.
 - Likely, the planning board would receive a variance request to alter lot 236-73 from one conforming lot to four non-conforming lots similar to lots 236-69 to 236-72. Lot 236-73 is inaccessible as there is no road to access this property. Approval of the current request would create an access road and set precedent for further development.
 - If this request were to be approved, there is a strong probability that two currently conforming properties (lots 236-74 and 236-73) would be turned into seven non-conforming properties (3 from 236-74; 4 from 236-73).
 - The addition of two new houses, along with the likelihood of four more houses through future action facilitated by this approval, creating a total of six new houses, would lower property values of homeowners on Meadow Road. Currently, these homeowners have houses on three sides (front, left, right) but do not have houses in the rear. Instead, they enjoy a natural landscape of trees, grass and shrubs. Replacing this rear view with another house, creating homes on all sides (front, left, right, rear) would directly lower property values.

On a more personal note, we have included some pictures of the view of our backyard. The picture below was taken Monday morning, April 21 while writing this letter.



The following pictures were taken during the morning, afternoon and evening of the previous 24 hours. This shows both that there is a large population of deer and that this is their habitat. They aren't visiting this area – they den here. Clearing a large section of what is now natural habitat and sanctuary will adversely affect these animals. Additionally, this shows the beautiful scenery that neighbors on Meadow Road enjoy in their backyards. Allowing the destruction of this habitat would not benefit the neighborhood.









In conclusion, we urge you to consider our concerns along with those of our neighbors when making your decision. Approving these exceptions would not benefit the neighborhood and would not serve the public interest. Thank you for your time and consideration.