

December 12, 2025



Planning & Sustainability Department
Board of Adjustment
Portsmouth NH

RE. Abutters notice from Stewart Baker Revocable Trust

Dear BOA Members,

This letter is in response to the abutters notice we received from the Board of Adjustments for the December 16, 2025 meeting. We are direct abutters to the property at 20 Coffins Court. We have spoken with the owners Laura Stewart and Evan Baker. We are in total support of their request for a variance approval for renovations and additions to their property. We believe the changes will be an asset to the value of their home and the neighborhood, as well as providing needed living space for their home. We have no objections to the request for this variance.

Thank you,

Keith Smith & Cynthia Smith
30 Coffins Court
Portsmouth NH

Stephanie Johnson

From: Evan Baker <evanallenbaker@gmail.com>
Sent: Friday, December 12, 2025 9:23 AM
To: Alex Muentener; Laura Stewart; Tim Phoenix; Stephanie Johnson
Subject: Fwd: Home Renovation Project

Categories: Smokeball

From our neighbors at the corner of Coffins and Union

----- Forwarded message -----

From: **Joe Lewinski** <lewinski@icanon.com>
Date: Thu, Dec 11, 2025 at 7:15 PM
Subject: Home Renovation Project
To: <evanallenbaker@gmail.com>
Cc: Paula & Joe Lewinski <pjlewinski@gmail.com>

Hello Evan,

I am writing to offer support for your home renovation project. It looks like it will offer you many benefits and improvements in addition to enhancing your usable space.

Both Paula and I are in favor of your project.

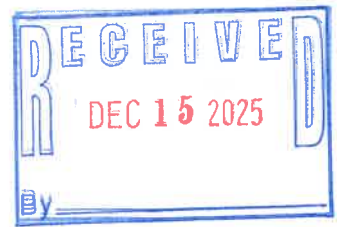
Best of luck,

Joe Lewinski
187 Union Street & Coffins Court
Portsmouth, NH 03801

--

This email has been checked for viruses by AVG antivirus software.

www.avg.com



The Cassandra M Saltus Trust
122 Essex Ave
Portsmouth NH 03801

December 15, 2025

HAND DELIVERED

Peter Britz, Director of the Planning and Sustainability Department
Portsmouth City Hall
1 Junkins Ave
Portsmouth NH 03801

RE: Abutters Notice, Board of Adjustment Meeting December 16, 2025,
Variances requested for **25 Sims Ave, Lot 44**
Applicant: Chris Cloutier

Dear Chair and Zoning Board Members:

I am writing in opposition, as the **downhill abutter** of 25 Sims, Lot 44 (back yard property line). We currently collect water runoff from the neighboring properties, which increases each time a new home is constructed.

The Portsmouth Zoning Ordinance, Section 10.230 defines the rules for the Zoning Board of Adjustment. Section 10.232.20 states that "special exceptions" (which this would be) shall meet all of the following standards: - item 10.232.26 "**No significant increase of stormwater runoff onto adjacent property or streets**".

The area in question, Lot 44, is currently covered by woodlands, which mitigates stormwater runoff. Currently we experience ponding water on our property at 122 Essex around the low-lying area labeled wood pile storage.

Having a structure or impermeable surface that covers approximately 26% of this wooded lot would require extensive removal of woodlands from Lot 44. This in turn would allow even more stormwater runoff to pond in our back yard.

Enclosed please find the following in opposition of the subject request for zoning relief:

- Annotated portion of Exhibit A, Existing Conditions Plan with our site photographs

I urge you to **not approve** the requested variances to permit construction on Lot 44.

Thank you,

Cassandra Saltus, Trustee

Encl.

**ABUTTER NOTICE
BOARD OF ADJUSTMENT
PORTSMOUTH, NEW HAMPSHIRE**

Abutter: Board of Adjustment Meeting December 16, 2025
SALTUS CASSANDRA M DECLARATION OF TRUST
SALTUS CASSANDRA M TRUSTEE
122 ESSEX AVE
PORTSMOUTH, NH 03801

Note: While you have been identified as an abutter to the property indicated below, you are encouraged to read the entire notice to determine if there are other petitions in which you might have an interest.

NOTICE IS HEREBY GIVEN that the Board of Adjustment will hold Public Hearings on the following petitions on **Tuesday, December 16, 2025** starting at **7:00 pm** in the Eileen Dondero Foley Council Chambers, City Hall, Municipal Complex, 1 Junkins Avenue, Portsmouth, New Hampshire.

The request of **909 West End LLC and PWED2 LLC (Owners)**, for property located at **909 and 921 Islington Street** whereas relief is needed to construct a sign at 921 Islington Street that will be servicing the businesses located at 909 Islington Street which requires the following: 1) Variance from Section 10.1253.10 to allow a sign setback of 4 feet from a lot line where 5 feet are required, 2) Variance from Section 10.1224.90 to allow a sign advertising a product or service not provided on the lot on which the sign is located ("off premise sign"); and 3) Variance from Section 10.1252 to allow 27 square feet of sign area where 20 square feet are allowed. Said property is located on Assessor Map 172 Lots 7 & 10 and lies within the Character District 4-W (CD4-W).

The request of **Eric Brassard (Owner)**, for property located at **233 Dennett Street** whereas relief is needed to construct a detached accessory dwelling unit and garage which requires the following: 1) Variance from Section 10.521 to allow a) 4-foot left side yard where 10 feet is required. Said property is located on Assessor Map 142 Lot 7 and lies within the General Residence A (GRA) District.

The request of **R and J 2100 Corporation (Owner) and Radmoto USA (Applicant)**, for property located at **2100 Lafayette Road** whereas relief is needed for a change of use from retail bicycle shop to sales of electric mopeds and motorcycles which requires the following: 1) Special Exception from Section 10.440 Use #11.10 to allow Sales, renting or leasing of motorcycles, including accessory repair services. Said property is located on Assessor Map 267 Lot 3 and lies within the Gateway Corridor (G1) District.

The request of **Stewart Baker Revocable Trust (Owner)**, for property located at **20 Coffins Court** whereas relief is needed for the construction of a spiral staircase on the left side of the home and dormers on the third floor which requires the following: 1) Variance from Section 10.521 to allow a) 4 foot right side yard and a 5 foot left side yard where 10 feet are required, b) 50.5% building coverage where 35% is allowed; and c) 4.5% open space where 20% is required. Said property is located on Assessor Map 135 Lot 53 and lies within the General Residence C (GRC) District.

OVER

The request of **Kenneth J and Rebecca T Nicholson (Owners)**, for property located at **53 Pray Street** whereas relief is needed to demolish and reconstruct the existing sunroom and roof deck, replace the existing patio and driveway, and replace an 8 foot fence which requires the following: 1) Variance from Section 10.521 to allow a 7.5 right side yard where 30 feet is required; 2) Variance from Section 10.515.13 to allow an 8 foot fence in the front yard where 4 feet is allowed; and 3) Variance from Section 10.516.10 to allow a 6.5 foot front yard where 17 feet is required. Said property is located on Assessor Map 102 Lot 40 and lies within the Waterfront Business (WB) and Historic Districts.

The request of **Chase Home for Children C/O Woodman (Owners)**, for property located at **698 Middle Road** whereas relief is needed to construct a new facility on the property which requires the following: 1) Variance from Section 10.334 to allow the residential care facility use to be extended to another part of the remainder of the land, 2) Variance from Section 10.440 to allow for the construction of a new residential care facility structure. Said property is located on Assessor Map 232 Lot 45 and lies within the Single Residence B (SRB) District.

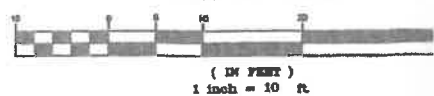
The request of **Robert M Snover Revocable Trust (Owners)**, for appeal of the administrative decision to require a variance for Section 10.1530 pertaining to the lot area of the property located at **58 Humphrey's Court**. Said property is located on Assessor Map 101 Lot 47 and lies within the General Residence B (GRB) and Historic Districts.

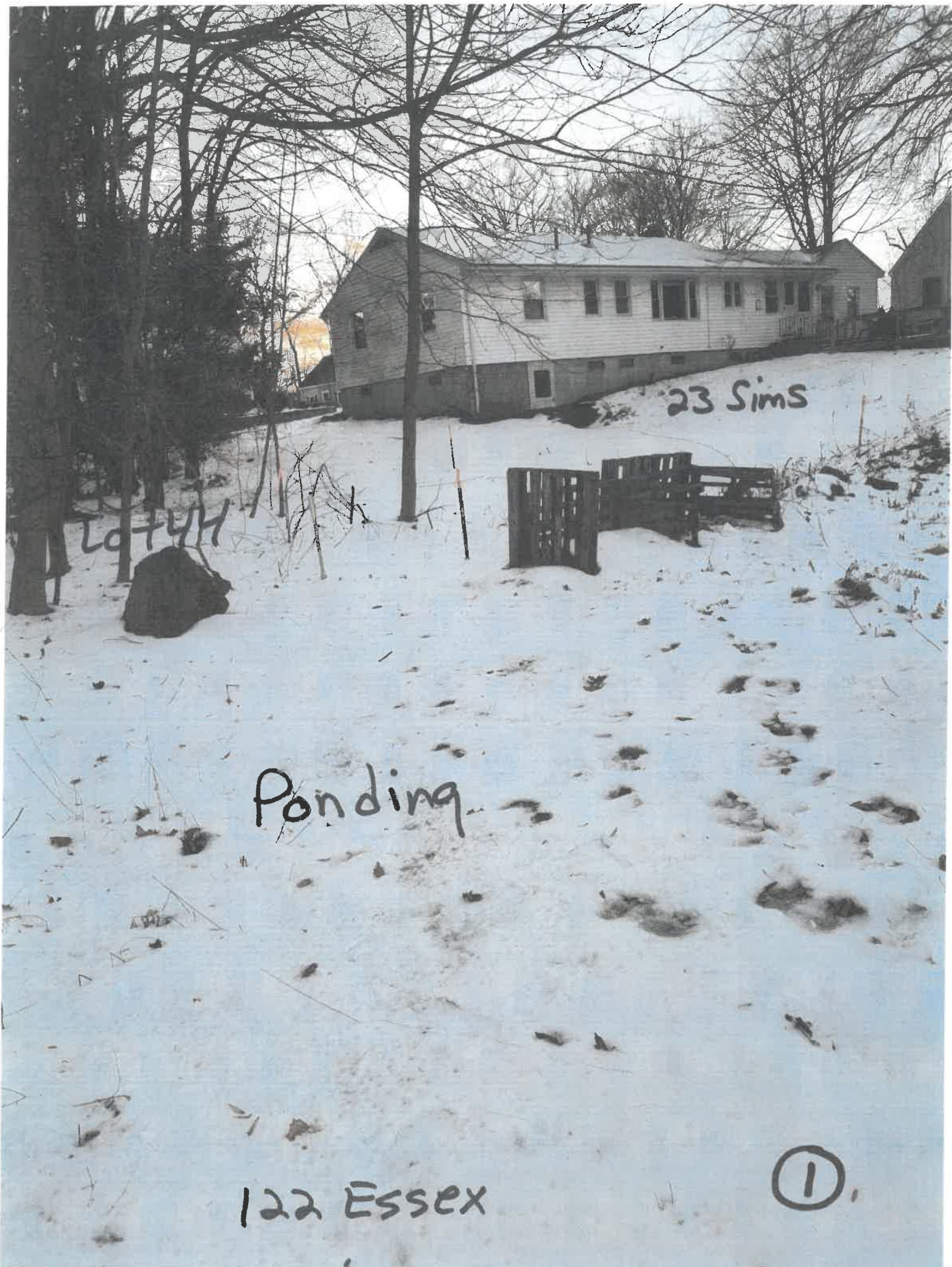
The request of **Robert M Snover Revocable Trust (Owners)**, for property located at **58 Humphrey's Court** whereas relief is needed to subdivide the existing parcel into two parcels which requires the following: 1) Variance from Section 10.521 to allow a) 51.8 feet of continuous street frontage where 80 feet is required, b) 4,840 square feet of lot area where 5,000 square feet are required; and c) 4,840 square feet of lot area per dwelling unit where 5,000 square feet are required. Said property is located on Assessor Map 101 Lot 47 and lies within the General Residence B (GRB) and Historic Districts.

The request of **Ben and Andrea St. Jean, Braden and Robyn Ferrari, Bob and Laura Gunning, Mike and Zoe Daboul, Tim and Kim Sullivan, and Jamie and Amy Baker (Appellants)**, for appeal of the administrative decision of a zoning determination pertaining to the side and rear lot lines of the property for a proposed subdivision located at **58 Humphrey's Court**. Said property is located on Assessor Map 101 Lot 47 and lies within the General Residence B (GRB) and Historic Districts.

The request of **Michael R and Isaac M. Roylos (Owners) and Christopher Cloutier (Applicant)**, for property located at **25 Sims Avenue** whereas relief is needed to create a buildable lot which requires the following: 1) Variance from section 10.521 to allow a) 5,000 square feet of lot area where 15,000 is required, b) 5,000 square feet of lot area per dwelling unit where 15,000 is required, and c) 50 feet of frontage where 100 feet are required. Said property is located on Assessor Map 233 Lot 71 and lies within the Single Residence B (SRB) District.







23 Sims

Lot 4H

Ponding

122 Essex

①

122 Essex

Ponding

②



Lot 44

23 Sims

122 Essex

②

③

140
Essex



Ponding



Lot 44

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23 Sims

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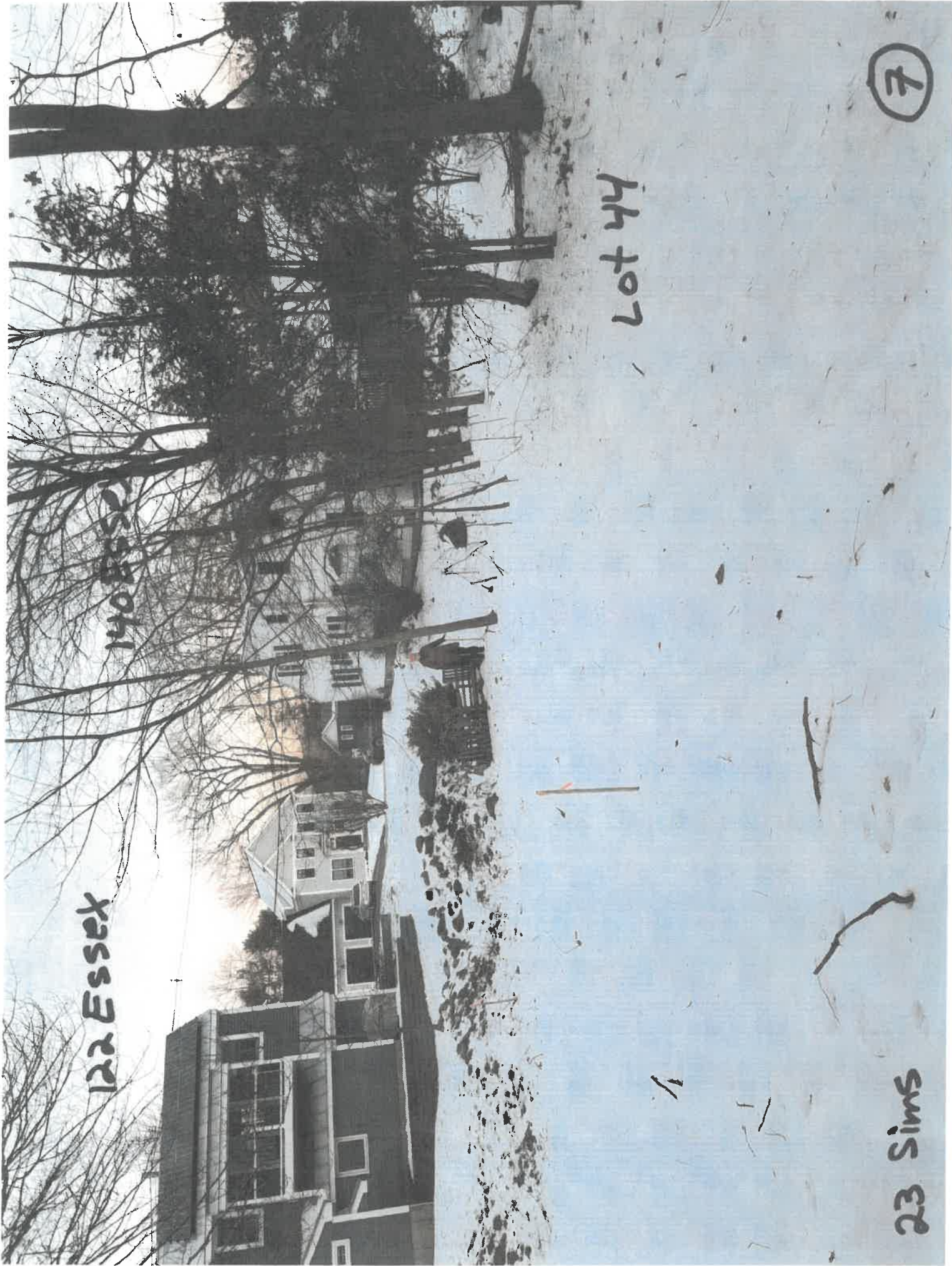
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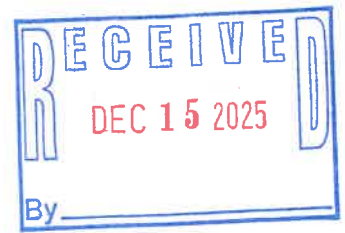
Lot 44

23 Sims

7



William & Whitney Dooley
140 Essex Ave.
Portsmouth, NH 03801



Date: 12/14/2025

Portsmouth Zoning Board of Adjustment
City of Portsmouth
1 Junkins Avenue
Portsmouth, NH 03801

Re: Zoning Board of Adjustments Meeting December 16, 2025
Request of Michael R and Isaac M. Roylos (owners) and Christopher Cloutier (Applicant), for
property located at 25 Sims Avenue

Dear Chair and Members of the Zoning Board of Adjustment,

As a direct abutter to Lot 44, we are writing to formally **oppose** the applicant's request for variances to permit construction of a single-family residence on Lot 44, formerly merged with 25 Sims Avenue, in the SRB (Single Residence B) zoning district.

The applicant seeks the following relief:

- **Frontage variance:** 50 feet of frontage where 100 feet is required, and
- **Lot area variance:** 5,000 square feet where 15,000 square feet is required.

For the reasons outlined below, these variances do not meet the statutory criteria under RSA 674:33 and the City of Portsmouth, NH Zoning Ordinance. The proposed development would have significant negative impacts, including increased stormwater runoff directly affecting our property as a direct abutting property.

1. The Requested Variances Represent Substantial Departures from the Zoning Ordinance

The subject property is located in the **SRB (Single Residence B) zoning district**, which establishes minimum dimensional requirements intended to control density, protect neighborhood character, and safeguard public health and welfare.

Pursuant to **Article 5 – Dimensional & Intensity Regulations** of the Portsmouth Zoning Ordinance, the SRB district requires:

- **Minimum lot area:** 15,000 square feet per dwelling unit, and
- **Minimum continuous street frontage:** 100 feet.

The applicant seeks variances to allow development of a lot with **only 5,000 square feet of area and 50 feet of frontage**, representing only one third the required size lot area and a 50% reduction in frontage from what the ordinance requires. These are substantial departures from the zoning standards, not minor dimensional adjustments, and directly conflict with the ordinance's intent for low-density residential development.

2. Hardship Is Self-Created

Under **RSA 674:33, I(b)**, a variance may only be granted if strict enforcement would cause **unnecessary hardship**.

The current owners Michael and Isaac Roylos inherited the property of 25 Sims Ave earlier this year, then voluntarily elected to unmerge Lot 44 from the home at 25 Sims Avenue, creating a nonconforming lot. They then sold the home at 25 Sims Avenue separately from lot 44. They are now seeking variances to allow building a residence on the property to complete the sale of the non-conforming lot to maximize the profit from their inheritance. The hardship is therefore **self-created**, and New Hampshire law does not permit granting a variance under these circumstances.

3. Development Will Increase Stormwater Runoff Toward the Abutter's Home

The Portsmouth Zoning Ordinance contains multiple provisions intended to prevent adverse drainage impacts and protect abutting properties from increased stormwater runoff. These include requirements that development not create hazardous, nuisance, or damaging conditions to neighboring properties and public ways, as reflected in Article 1 (Purpose) and Article 10 (Site Review and Performance Standards).

10.232.20 Special exceptions shall meet all of the following standards:

10.232.26 No significant increase of stormwater runoff onto adjacent property or streets.

Lot 44 is currently wooded, with mature vegetation and undisturbed soils that naturally intercept rainfall and promote infiltration. **Site survey elevations (Exhibit A – As provided by applicant) and photographs of the lot and surrounding area (Exhibit B)** confirm that the lot **slopes gently toward the abutting property**, where our home foundation is located and already receives a substantial amount of stormwater runoff from surrounding properties, including 25 Sims Ave. Sump pumps in the basement foundation of our home at 140 Essex Ave run frequently throughout the year to manage existing runoff which creates ponding close to our foundation. Development of Lot 44 would worsen this situation, as the property slopes downward toward the rear, directing stormwater toward the abutting areas. Development of the wooded area would also cause increased stormwater runoff volumes, faster and more concentrated runoff due to impervious surfaces, and limited opportunity for effective on-site infiltration due to the lot's small size and slope.

Based on standard stormwater engineering methodology (NRCS Curve Number analysis), runoff from a 1-inch rainfall event would increase by approximately **two to three times** compared to existing wooded conditions. This increased runoff would travel downslope toward the abutting property, increasing the risk of foundation infiltration, erosion, and drainage damage.

Such impacts are inconsistent with the zoning ordinance's purpose to protect public health, safety, welfare, and neighboring properties from adverse development impacts.

The **site survey (Exhibit A)** clearly shows the elevation drop toward our home at 140 Essex Ave, confirming that runoff will naturally follow the slope. **Photographs (Exhibit B)** demonstrate the proximity of the abutter's foundation to the flow path and subsequent ponding.

4. Variances Are Contrary to the Spirit of the Ordinance

RSA 674:33, I(d) requires that a variance **not be contrary to the public interest or the spirit of the ordinance**. Minimum lot area and frontage standards protect:

- Neighborhood character and spacing between structures

- Public health, safety, and welfare through adequate drainage
- Environmental quality, including natural stormwater infiltration

Allowing development on a lot with half the required frontage and one-third the required lot area would undermine these objectives and be contrary to the **spirit and intent of the Portsmouth Zoning Ordinance**, as well as the **public interest**, in violation of **RSA 674:33, I(d)**.

5. Granting Would Alter Neighborhood Character and Create Precedent

RSA 674:33, I(e) requires that variances **not diminish property values of surrounding parcels or impair the intent of the ordinance**.

Although there are many nonconforming properties in the neighborhood, few are on a property as small as lot 44 with dimensions of 50' x 100', and those that do exist were built in the 1940's or 1950's predating current zoning regulations.

Approving development on this undersized lot would:

- Disrupt the established pattern of homes along Sims Avenue
- Increase impervious coverage and stormwater impacts on abutting lots
- Set a precedent encouraging further undersized lot development

6. The Variances Are Not in the Public Interest

The requested relief would primarily benefit a single private property owner while increasing stormwater risk to abutting properties and weakening zoning protections designed to serve the broader community.

Conclusion

The applicant seeks approval to construct a residence on **Lot 44 with 50 feet of frontage where 100 feet is required and 5,000 square feet of lot area where 15,000 square feet is required**. The hardship is self-created, the relief requested is substantial, and post-development stormwater will concentrate downslope toward the abutter's home foundation, increasing the risk of flooding, erosion, and structural impacts.

For these reasons, the requested variances fail to meet the criteria under **RSA 674:33** and should be **denied**.

Attachments:

- **Exhibit A:** Site Survey with Elevation Markings
- **Exhibit B:** Photographs of Lot 44 and Flow Toward Abutter

Thank you for your consideration.

Respectfully submitted,

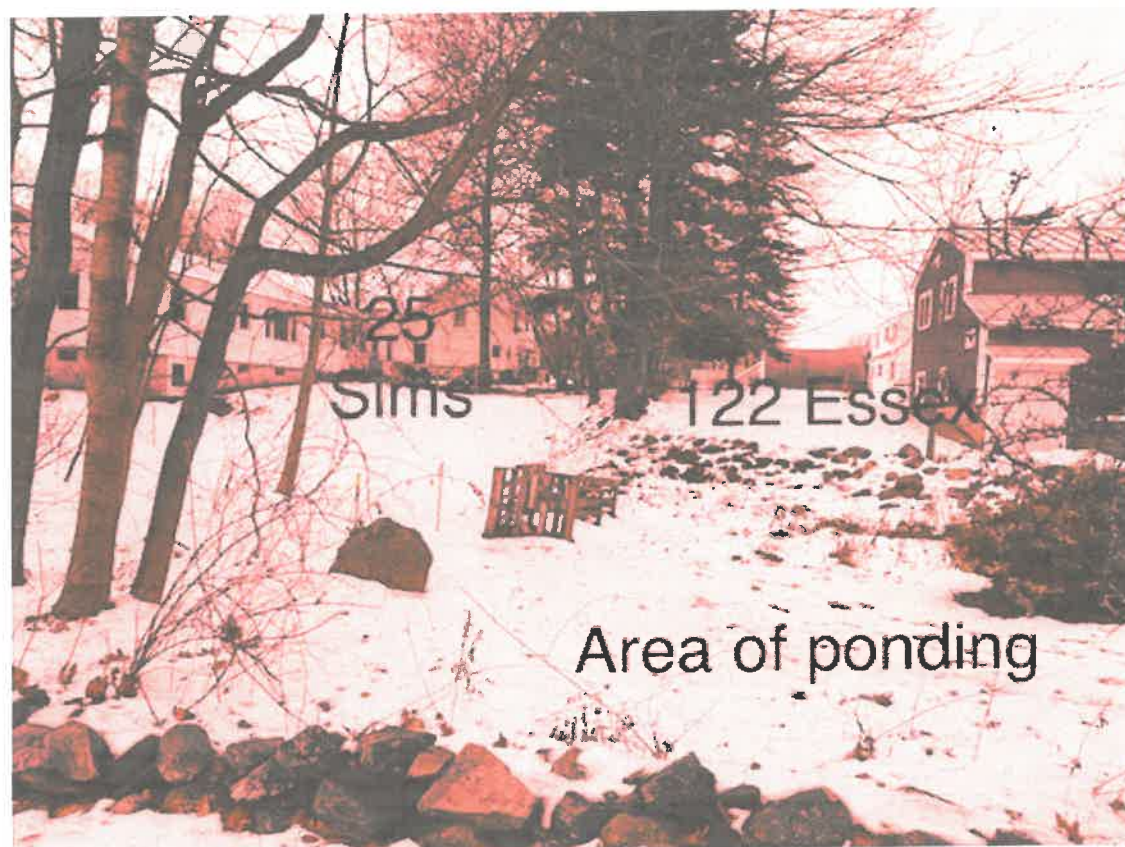
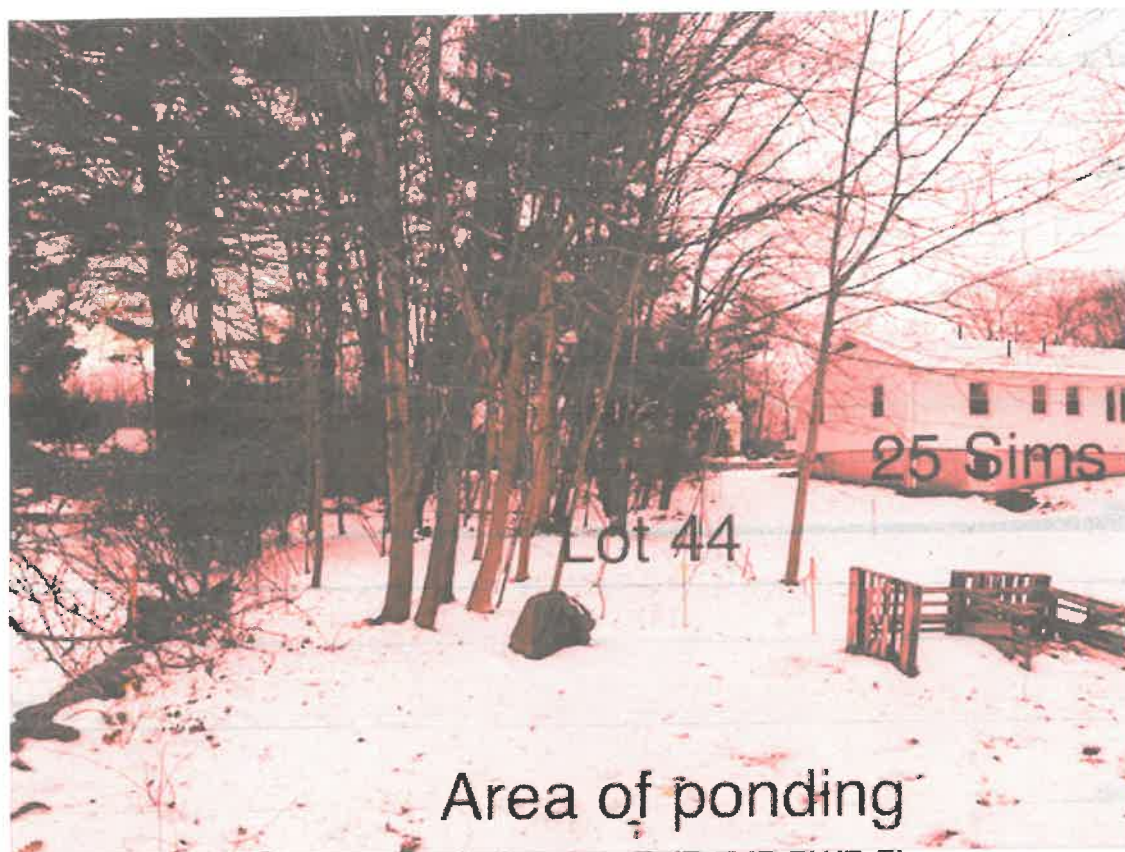

William Dooley

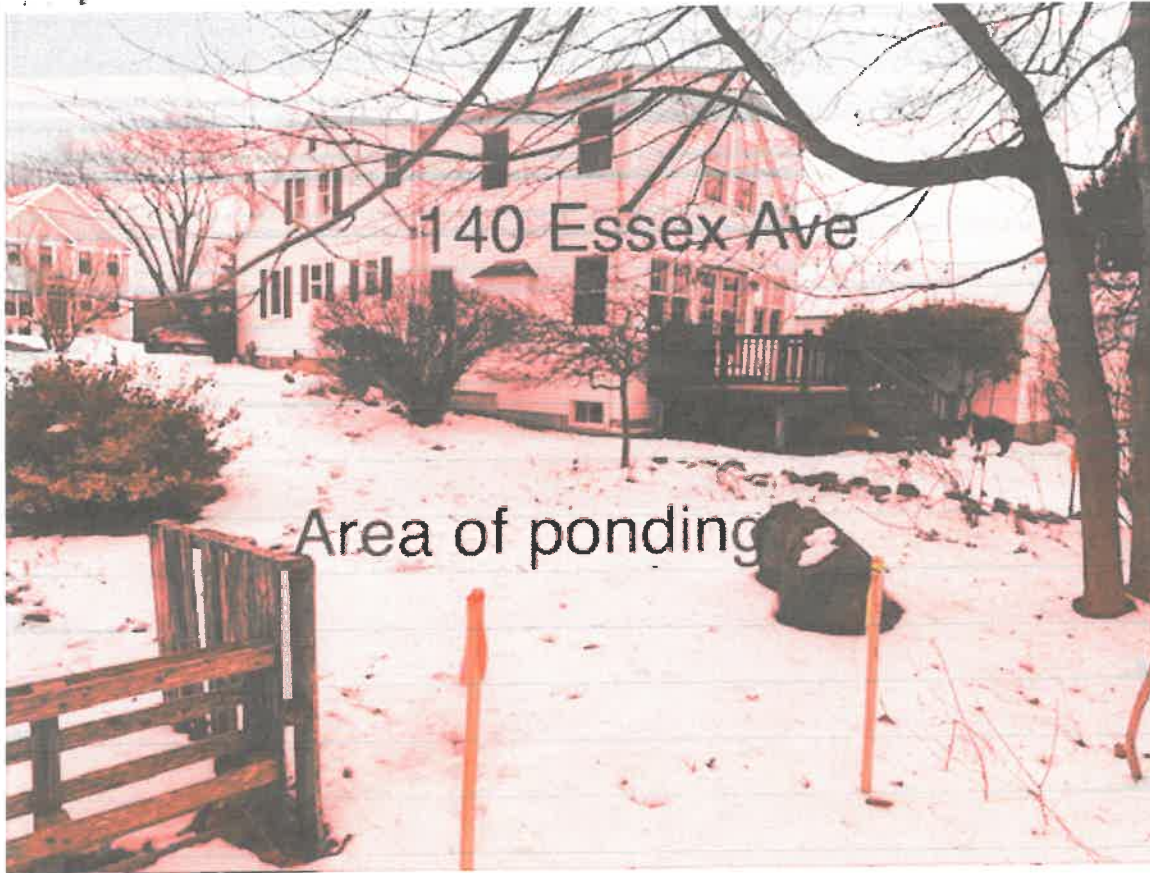

Whitney Dooley

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Exhibit B





Subject: Objection to BOA request, mtg 1/21/26, 25 Sims Ave

Good afternoon,

I'm writing to OPPOSE the request of Michael and Isaac Roylos for the property at 25 Sims Ave, Assessor map 233, lot 71. They are asking for variations that are wildly different than what the city requires to make a buildable lot. The discrepancy is huge- to disregard 60+% of the square footage requirement and 50% of the frontage requirement does not make sense on our small dead end road. It's too big an ask!

I assume the numbers the city requires are there for a reason- including to preserve the character of our small city by giving building lots a bit of space from imposing on neighbors. By a long shot, this lot is not buildable by the city standards.

I'd like my opposition to be shared at the BOA meeting scheduled for Wed, 1/21/26.

Thank you,
Chance Allen
88 Sims Ave.

Sent from my iPad

Alex and Katie Greiner
88 Lincoln Ave.
Portsmouth, NH 03801

Date: 1/8/26

Zoning Board of Appeals
Portsmouth, NH 03801

Dear Members of the Zoning Board,

We are writing to express our support for our neighbors, Alex and Lauren LePage, regarding their proposed home addition at 53 McNabb Ct.

We have lived at 88 Lincoln Ave. for ~ 6 years (after undergoing a major renovation to our existing home here as well). Over this time, we have come to know Alex and Lauren as extremely considerate and responsible members of our neighborhood. Their proposed addition has been carefully planned and, in our view, will be fully consistent with the character of our neighborhood. They have also proactively engaged us as well as the other neighbors in terms of sharing their plans.

The addition will not negatively impact our property or the surrounding homes. In fact, in our view it will only continue to enhance our small neighborhood. It will maintain essentially the same existing setbacks and blend well with existing structures in the area. As they mention, the other homes on McNabb Ct. have all undergone similar renovations before the time we moved to Portsmouth. We have no concerns regarding any issues related to noise, traffic, or visual impact.

We respectfully encourage the Board to approve Alex and Lauren's request. We believe this project is completely reasonable, well thought out, and in keeping with the intent of local zoning regulations. McNabb Ct. is a unique pocket neighborhood and these variances will allow for a much more livable single family home for a growing family, while keeping in the spirit of the surrounding properties.

Thank you for your time and consideration. Please feel free to contact us if you require any additional information.

Regards,
Alex and Katie Greiner

Subject: 53 McNabb Ct - Assessor Map 112, Lot 57 - Support for Variance Application

My wife and I live at 43 McNabb Ct,. The LePage's are our neighbors. We have reviewed their renovation plans and agree that the increase in building coverage is minimal and requested variances will:

- not be contrary to the public (our) interest
- not alter the essential character of our neighborhood
- now match the size and design the other three surrounding homes (including ours)
- preserve or enhance surrounding property values

Therefore, we support the proposed changes.

Sincerely,
Greg & Stephanie Sullivan
43 McNabb Ct

Subject: 53 McNabb Ct.

Good morning,

My husband and I are abutting neighbors to 53 McNabb Ct./Alex and Lauren LePage. I wanted to write and express my support of their proposed renovation on their house. I understand their variance request is on the agenda for the 1/21 Zoning Board meeting. We have no concerns with their plans and support their ability to make the house what they need to stay in the neighborhood with their young family. They are great neighbors, and their plans fit with the style of the house and neighborhood.

Thank you,
Amanda & Dan Verdick
72 Lincoln Ave

Subject: 53 McNabb Ct - support for variance application

Dear Board of Adjustment Members,

I'm the owner of the property at 113 Elwyn Ave. My backyard abuts McNabb Ct.

I've reviewed and fully support the proposed variances to allow the 3-story addition in the back and the open porch in front.

There are no negatives in the application. The footprint will be almost the same and the house will totally blend in with the other 3 houses on McNabb.

The Lepage's have been great neighbors and deserve a little extra space for themselves, their children and their dog.

Please grant the variances to allow the changes to give them some breathing room so they will stay in the neighborhood for many more years.

Sincerely,

Patricia Cabrera

Sent from my iPad

Sent: Tuesday, January 20, 2026 3:40 PM
To: Planning - Info - Shr <Planning@portsmouthnh.gov> **Subject:**
ZBA meeting 1.20.26 LePage request #53 McNabb Court

Hello Alex and Lauren,

I have had an unexpected surgery today and am not able to attend the Zoning Board meeting or Zoom this evening. As I have missed the deadline to direct my comments to the Planning email, and did not realize how extensively the surgery would affect me, I do hope you will include this email's comments and concerns at the meeting so they can be entered into the record.

The plans for your home looks nice and will certainly give you a lot more living and guest space. I have a few concerns which i hope will be addressed during the meeting.

1. Lauren expressed a great deal of concern about drainage during the ZBA meeting for the denied project at 405 South Street from several years ago. As increasing your living area will impact **drainage**, how will that be addressed, other than directing a sump pump to my property or other surrounding properties?
2. The houses at #46 & #54 exceed the front lot line beyond their porches with landscaping, walkways, and in the case of #46, a granite wall. Your plan appears to barely exceed that and I hope that remains the case.
3. The houses in McNabb Court are on a street that dead ends at the gate at my property; I still need **access to the lower lot** and you have always been gracious about allowing access. I want to be sure that remains the case.
4. With the narrowing of the street by several neighbors, the City should be concerned about street **access by Emergency Services, snowplows, and delivery drivers**. Already the extension of landscaping at #54 affects easy access to the Fire Hydrant, particularly because the street is used as additional parking by all McNabb Court residents.

Best of luck with your plan. No deal breakers for me, just concerns to share.

Julie Robb
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