



# CITY OF PORTSMOUTH

Planning & Sustainability  
Department  
1 Junkins Avenue  
Portsmouth, New  
Hampshire 03801  
(603) 610-7216

## ZONING BOARD OF ADJUSTMENT

May 26, 2026

Hope for Tomorrow Foundation  
315 Banfield Road  
Portsmouth, New Hampshire 03801

**RE: Board of Adjustment Request for property located at 315 Banfield Road,  
Portsmouth NH 03801 (LU-26-41)**

Dear Property Owner:

The Zoning Board of Adjustment, at its regularly scheduled meeting of **May 19, 2026**, considered your application for the 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 shown on Assessor Map 266 Lot 5 and lies within the Industrial (I) District. As a result of said consideration, the Board voted to **postpone** the request to the June 16, 2026 meeting.

This matter will be placed on the agenda for the Board of Adjustment meeting scheduled for **June 16, 2026**. One (1) copy of any revised plans and/or exhibits must be filed in the Planning & Sustainability Department no later than **Friday May 29, 2026**. Please remember you will be required to provide an electronic file (in a PDF format) of all plans and exhibits.

The minutes and audio recording of this meeting are available by contacting the Planning & Sustainability Department.

Very truly yours,

Beth Margeson, Chair of the Zoning Board of Adjustment

cc:

Derek Durbin, Durbin Law Offices, PLLC



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## ZONING BOARD OF ADJUSTMENT

May 26, 2026

Port Hunter LLC  
PO Box 332  
New Castle, New Hampshire 03854

**RE: Board of Adjustment Request for property located at 361 Miller Avenue,  
Portsmouth NH 03801 (LU-25-76)**

Dear Property Owner:

The Zoning Board of Adjustment, at its regularly scheduled meeting of **May 19, 2026**, considered your application for the property located at 361 Miller Avenue whereas relief is needed to construct a detached garage with a professional office space on the second floor, which requires the following: 1) Variance from Section 10.573.20 to allow a) 6 foot side yard where 10 feet are required, and b) 10 foot rear yard where 20 feet are required; and 2) Variance from Section 10.440 Use #5.10 to allow a professional office use where it is not permitted. Said property is shown on Assessor Map 131 Lot 33 and lies within the General Residence A (GRA) District. As a result of said consideration, the Board voted to **postpone** the request to the June 16, 2026 meeting.

This matter will be placed on the agenda for the Board of Adjustment meeting scheduled for **June 16, 2026**. One (1) copy of any revised plans and/or exhibits must be filed in the Planning & Sustainability Department no later than **Friday May 29, 2026**. Please remember you will be required to provide an electronic file (in a PDF format) of all plans and exhibits.

The minutes and audio recording of this meeting are available by contacting the Planning & Sustainability Department.

Very truly yours,

Beth Margeson, Chair of the Zoning Board of Adjustment

cc:

Colby T. Gamester, Esq., Gamester Law Office



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1 Junkins Avenue  
Portsmouth, New Hampshire  
03801  
(603) 610-7216

## ZONING BOARD OF ADJUSTMENT

May 26, 2026

Lonza Biologics Inc  
PO Box 1912  
Morristown, New Jersey 07962-1912

**RE: Board of Adjustment Request for property located at 34 Harvest Way, Portsmouth NH 03801 (LU-26-12)**

Dear Property Owner:

The Planning Department has received your postponement request for the property located at 34 Harvest Way whereas relief is needed to install two illuminated wall signs and one illuminated monument sign, which requires relief from the following: 1) from Section 306.01(d) of the Pease Development Ordinance to allow signs to exceed a maximum aggregate area of two (2) square feet of sign area for each linear foot of street frontage up to a maximum of 200 square feet. Said property is shown on Assessor Map 305 Lot 5 and lies within the Airport Business Commercial (ABC) District. Your application hearing at the regularly scheduled meeting of **May 19, 2026** has been **postponed** to the June 16, 2026 meeting.

This matter will be placed on the agenda for the Board of Adjustment meeting scheduled for **June 16, 2026**. One (1) copy of any revised plans and/or exhibits must be filed in the Planning & Sustainability Department no later than **Friday May 29, 2026**. Please remember you will be required to provide an electronic file (in a PDF format) of all plans and exhibits.

The minutes and audio recording of this meeting are available by contacting the Planning & Sustainability Department.

Very truly yours,

Stefanie Casella, Staff Liaison to the Zoning Board of Adjustment

cc:



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Portsmouth, New  
Hampshire 03801  
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## ZONING BOARD OF ADJUSTMENT

May 26, 2026

Emma Stratton  
Portsmouth Historical Society  
10 Middle Street  
Portsmouth, New Hampshire 03801

**RE: Board of Adjustment Request for property located at 43 Austin Street, Portsmouth NH 03801 (LU-26-43)**

Dear Property Owner:

The Zoning Board of Adjustment, at its regularly scheduled meeting of **May 19, 2026**, considered your application for the property located at 43 Austin Street whereas relief is needed to convert a single-family home to an office use which requires the following: 1) Variance from Section 10.440 (Use #5.10) to allow professional office space where it is not permitted. Said property is shown on Assessor Map 127 Lot 27 and lies within the General Residence C (GRC) and Historic Districts. As a result of said consideration, the Board voted to **postpone** the request to the June 16, 2026 meeting.

This matter will be placed on the agenda for the Board of Adjustment meeting scheduled for **June 16, 2026**. One (1) copy of any revised plans and/or exhibits must be filed in the Planning & Sustainability Department no later than **Friday May 29, 2026**. Please remember you will be required to provide an electronic file (in a PDF format) of all plans and exhibits.

The minutes and audio recording of this meeting are available by contacting the Planning & Sustainability Department.

Very truly yours,

Beth Margeson, Chair of the Zoning Board of Adjustment

cc:



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## ZONING BOARD OF ADJUSTMENT

May 26, 2026

Alexandre T LePage  
Lauren M LePage  
53 McNabb Court  
Portsmouth, New Hampshire 03801

**RE: Board of Adjustment Request for property located at 53 McNabb Court,  
Portsmouth NH 03801 (LU-26-50)**

Dear Property Owner:

The Zoning Board of Adjustment, at its regularly scheduled meeting of **May 19, 2026**, considered your application for the property located at 53 McNabb Court whereas relief is needed to demolish the existing rear porch and construct an addition and construct a new front porch which requires the following: 1) Variance from Section 10.521 to allow a) 30.5% building coverage where 25% is allowed, b) 8 foot left yard where 10 feet are required, c) 6 foot right yard where 10 feet are required. Said property is shown on Assessor Map 112 Lot 57 and lies within the General Residence A (GRA) District. As a result of said consideration, the Board voted to **grant** the request as presented and advertised.

The Board's decision may be appealed up to thirty (30) days after the vote. Any action taken by the applicant pursuant to the Board's decision during this appeal period shall be at the applicant's risk. Please contact the Planning & Sustainability Department for more details about the appeals process.

Approvals may also be required from other City Commissions or Boards. Once all required approvals have been received, applicant is responsible for applying for and securing a building permit from the Inspection Department prior to starting any project work.

This approval shall expire unless a building permit is issued within a period of two (2) years from the date granted unless an extension is granted in accordance with Section 10.236 of the Zoning Ordinance.

*The Findings of Fact associated with this decision are available: attached here or as an attachment in the Viewpoint project record associated with this application and on the Zoning Board of Adjustment Meeting website:*

<https://www.cityofportsmouth.com/planportsmouth/zoning-board-adjustment/zoning-board-adjustment-archived-meetings-and-material>

The minutes and audio recording of this meeting are available by contacting the Planning & Sustainability Department.

Very truly yours,

A handwritten signature in cursive script that reads "Beth I Margeson". The signature is written in black ink on a white background.

Beth Margeson, Chair of the Zoning Board of Adjustment

cc: Shanti Wolph, Chief Building Inspector

Rosann Maurice-Lentz, City Assessor

# Findings of Fact | Variance

## City of Portsmouth Zoning Board of Adjustment

Date: 5-19-2026

Property Address: 53 McNabb Court

Application #: LU-26-50

Decision: **Grant**

### Findings of Fact:

Effective August 23, 2022, amended RSA 676:3, It now reads as follows: The local land use board shall issue a final written decision which either approves or disapproves an application for a local permit and make a copy of the decision available to the applicant. **The decision shall include specific written findings of fact that support the decision. Failure of the board to make specific written findings of fact supporting a disapproval shall be grounds for automatic reversal and remand by the superior court upon appeal, in accordance with the time periods set forth in RSA 677:5 or RSA 677:15, unless the court determines that there are other factors warranting the disapproval.** If the application is not approved, the board shall provide the applicant with written reasons for the disapproval. If the application is approved with conditions, the board shall include in the written decision a detailed description of all conditions necessary to obtain final approval.

The proposed application meets/does not meet the following purposes for granting a Variance:

Section 10.233 Variance Evaluation Criteria	Finding (Meets Criteria)	Relevant Facts
10.233.21 Granting the variance would not be contrary to the public interest.	<b>YES</b>	<ul style="list-style-type: none"> <li>• The changes will make the house much more livable and will not affect the health, safety, and welfare of the neighborhood or have a real effect on light and air.</li> <li>• There is a large lot next to the applicant's property and its light and air will not be affected.</li> <li>• Granting the variance will not alter the essential characteristics of the neighborhood. It was an interesting court in which all four houses are similar in design and have similar porches and additions in the back.</li> <li>• The applicant's house will fit in better with the neighborhood after the changes are made.</li> </ul>

<p>10.233.22 Granting the variance would observe the spirit of the Ordinance.</p>	<p><b>YES</b></p>	<ul style="list-style-type: none"> <li>• The changes will make the house much more livable and will not affect the health, safety, and welfare of the neighborhood or have a real effect on light and air.</li> <li>• There is a large lot next to the applicant's property and its light and air will not be affected.</li> <li>• Granting the variance will not alter the essential characteristics of the neighborhood. It was an interesting court in which all four houses are similar in design and have similar porches and additions in the back.</li> <li>• The applicant's house will fit in better with the neighborhood after the changes are made.</li> </ul>
<p>10.233.23 Granting the variance would do substantial justice.</p>	<p><b>YES</b></p>	<ul style="list-style-type: none"> <li>• The Board would be hard-pressed to identify any benefit to the public by denial that would outweigh any loss to the applicant by not approving the usability of the applicant's house.</li> </ul>
<p>10.233.24 Granting the variance would not diminish the values of surrounding properties.</p>	<p><b>YES</b></p>	<ul style="list-style-type: none"> <li>• No evidence was presented that it would.</li> <li>• No abutters had objected to the proposal or indicated concerns about their property values being diminished.</li> </ul>
<p>10.233.25 Literal enforcement of the provisions of the Ordinance would result in an unnecessary hardship.</p> <p>(a)The property has special Conditions that distinguish it from other properties in the area. AND (b)Owing to these special conditions, a fair and substantial relationship does not exist between the general public purposes of the Ordinance provision and the specific application of that provision to the property; and the proposed use is a reasonable one. OR Owing to these special conditions, the property cannot be reasonably used in strict conformance with the Ordinance, and a variance is therefore necessary to enable a reasonable use of it.</p>	<p><b>YES</b></p>	<ul style="list-style-type: none"> <li>• The special conditions that distinguished the property from many others in the area included that the lot is very small for the zoning area and is in an unusual location. There are not many little courts like that in Portsmouth, and the additional changes will not be visible from the nearest major street, Lincoln Avenue.</li> <li>• The house itself is relatively small by today's standards. It is situated on the property near the front property line and near the righthand side property line, which created some of the issues involved..</li> </ul>