

**BY: VIEWPOINT & HAND DELIVERY**

May 20, 2026

City of Portsmouth  
Attn: Stefanie Casella, Planner  
Zoning Board of Adjustment  
1 Junkins Avenue  
Portsmouth, NH 03801

**RE: Special Exception Application of Madison Commercial Group, LLC  
72 Mirona Road, Portsmouth (Tax Map 253, Lot 3)**

Dear Stefanie,

Please find a copy of the following materials relative to the special exception application filed through Viewpoint for property located at 72 Mirona Road, Portsmouth:

- 1) Landowner Letter of Authorization
- 2) Narrative to Variance Application
- 3) GIS Map of Property
- 4) Floor Plans (Existing and Proposed)
- 5) Photographs of the Property

A copy of the above application materials is being delivered to the Planning Department. Should you have any questions or concerns regarding the enclosed application materials, do not hesitate to contact me at your convenience.

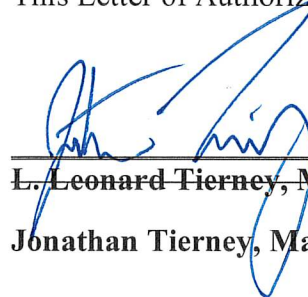
Sincerely,



Derek R. Durbin, Esq.

LANDOWNER LETTER OF AUTHORIZATION

**Madison Commercial Group, LLC**, record owner of property located at **72 Mirona Road**, identified on **Tax Map 253, Lot 03** (the "Property"), hereby authorizes **Durbin Law Offices PLLC**, to file any building, zoning, planning or other municipal permit applications with the City of Portsmouth for Unit #21 and Unit #22 at said Property and to appear before its land use boards. This Letter of Authorization shall be valid until expressly revoked in writing.

 5/19/26  
~~L. Leonard Tierney, Manager~~  
Jonathan Tierney, Manager

**CITY OF PORTSMOUTH  
VARIANCE APPLICATION NARRATIVE**

**Madison Commercial Group, LLC  
(Owner/Applicant)**

**72 Mirona Road  
Portsmouth, NH 03801  
Tax Map 253, Lot 3**

**BACKGROUND**

**Introduction**

The property at 72 Mirona Road lies within the Gateway 2 (G2) Zoning District. It is owned by Madison Commercial Group, LLC (the “Applicant”). The property is a 4+ acre lot with two large commercial buildings on it containing over 20 office suites. Some of the businesses occupy multiple suites within the building. The complex is referred to as “Madison Village”. There are a mixture of business types occupying the buildings, including a day care, retail businesses, a personal service business (esthetics), pottery studio, kickboxing/exercise studio, business offices, and a restaurant. There is a huge parking lot in front of the building accessed from Mirona Road as well as a smaller adjacent lot to the rear. In total, there are 185 (+/-) delineated parking spaces on the property.

**Proposed Use**

The Applicant was recently approached by a business that runs a pilates/exercise studio seeking to lease Suites 2 and 21/22 on the property. Suite 2 is a first-floor space consisting of 1,910 square feet of Gross Floor Area (“GFA”). Suite 21/22 is a second-floor space consisting of 3,331 square feet of GFA. Suite 2 is presently unoccupied but was previously used as office space for a staffing agency. Suite 21/22 is occupied and is currently being utilized as office space for the same staffing agency. The prospective lessee intends to utilize both suites as part of the pilates/exercise studio. The total GFA of the two suites combined is 5,049 square feet (+/-), which includes all ancillary spaces including staff offices, a small kitchen, a vestibule, locker area, mechanical room, etc., as shown on the proposed floor plans submitted herewith.

Indoor recreational uses, such as a pilates/exercise studio, are permitted by right within the G2 Zoning District pursuant to Section 10.440 (4.40) of the Portsmouth Zoning Ordinance (the “Ordinance”). However, if the GFA of the proposed use exceeds 2,000 square feet, as is the case here when you consider the use of both suites, a **Special Exception** from the Zoning Board of Adjustment (the “Board”) is required under Section 10.440 (4.42) of the Ordinance.

## SPECIAL EXCEPTION CRITERIA

10.232.20 Special exceptions shall meet all of the following standards:

10.232.21 Standards as provided by this Ordinance for the particular **use** permitted by special exception.

***Indoor recreational uses occupying more than 2,000 square feet of gross floor area are permitted by special exception within the Gateway 2 Zoning District.***

10.232.22 No hazard to the public or **adjacent** property on account of potential fire, explosion or release of toxic materials;

***No threat of fire, explosion or release of toxic materials is presented by the proposed indoor recreational use of the premises. No hazardous, flammable or toxic materials will be stored or utilized at the premises.***

10.232.23 No detriment to property values in the vicinity or change in the essential characteristics of any area including residential neighborhoods or business and industrial districts on account of the location or scale of **buildings** and other **structures**, parking areas, **accessways**, odor, smoke, gas, dust, or other pollutant, noise, **glare**, heat, vibration, or unsightly **outdoor storage** of equipment, vehicles or other materials;

***None of the concerns set forth in Section 10.232.23 of the Ordinance are implicated by the proposed indoor recreational use. No exterior modifications will be made to the building in which the premises are located. No exterior site modifications are being made to the property, nor will there be any outdoor storage associated with the proposed use.***

10.232.24 No creation of a traffic safety hazard or a substantial increase in the level of traffic congestion in the vicinity;

***The area surrounding the property is characterized by a mixture of both high-intensity and lower intensity uses. Overall, however, traffic on Mirona Road is free flowing at all times of the day. The peak hours of use associated with the proposed use are early morning and late afternoon/early evenings when many surrounding business uses are not even open or have just opened or are winding down. With respect to Madison Village, a comparable indoor recreational use exists in Suite 1, which is occupied by “9 Round Kickboxing”, an indoor exercise facility. It occupies Suite 1 in the same complex. While that suite is smaller (approx. 1800 sf.), the listing broker for the property has indicated that there are only typically 4 vehicles parked at the property at any given time associated with that business. Looking at Madison Village as a whole, the parking lot is half or less full even at peak hours of the day. Based solely on the parking standards set forth in the Ordinance, 21 parking spaces are required for the proposed use (1 space per 250 sf. of GFA). Even if 21 or more vehicles associated with the proposed use were accessing the property during peak hours of the day, it would not have any tangible impact upon other businesses in Madison Village or in the surrounding area or***

*otherwise create a substantial increase in the level of traffic congestion. While no traffic study has been done relative to the proposed use, it is fairly assumed based on history and observation that the area could handle a significant increase in daily vehicle trips without creating a traffic congestion issue.*

10.232.25 No excessive demand on municipal services, including, but not limited to, water, sewer, waste disposal, police and fire protection and schools; and

*With respect to the demand upon municipal services, the proposed use is benign. There are uses permitted by right within the G2 Zoning District that create a greater demand upon municipal services than the proposed use. It is a low intensity use in the context of municipal services' demand. There will be one small bathroom within the premises as well as a kitchen area and laundry room that will be used throughout the course of the day but will not create a demand which could be considered excessive upon water, sewer, waste disposal or police and fire protection. The use is not residential in nature, so it will have no impact upon the school system.*

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

*No building or other site modifications are being made to the property; therefore, there will be no significant increase of stormwater onto adjacent property or streets associated with the proposed use.*

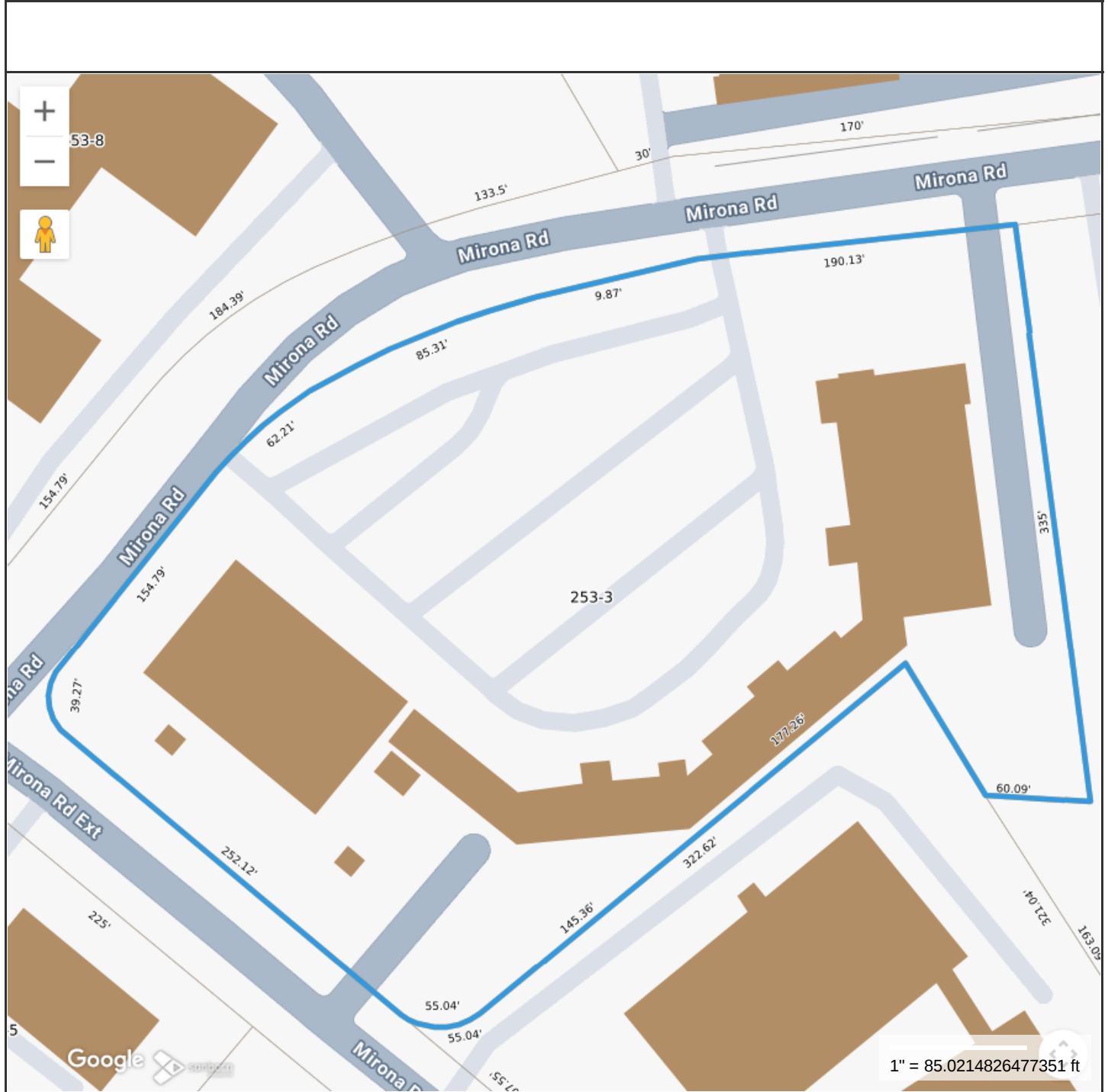
## CONCLUSION

In conclusion, the Applicant believes that it has met the criteria for granting the special exception requested. It thanks the Board for its time, careful consideration and review of its application.

Respectfully submitted,



By: \_\_\_\_\_  
Derek R. Durbin, Esq.  
Durbin Law Offices, PLLC  
154 Maplewood Avenue  
Portsmouth, NH 03801  
derek@durbinlawoffices.com



**Property Information**

**Property ID** 0253-0003-0000  
**Location** 72 MIRONA RD  
**Owner** MADISON COMMERCIAL GROUP LLC



**MAP FOR REFERENCE ONLY**  
**NOT A LEGAL DOCUMENT**

City of Portsmouth, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

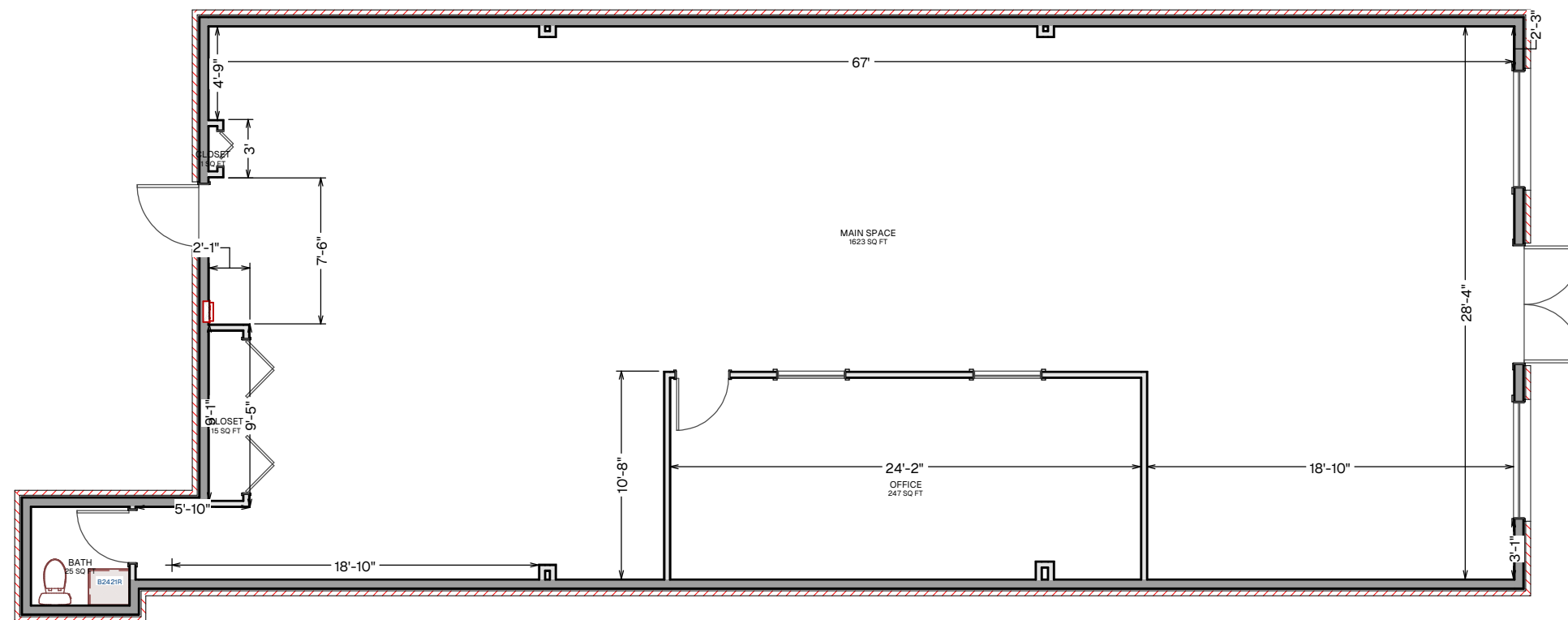
Geometry updated 03/06/2026

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

# 72 Mirona Way Portsmouth - NH

**OWNER**  
The Agency Portsmouth  
NH

**DESIGNER/BUILDER**  
Build It Construction



○ Existing - 1st Floor  
1/8" = 1 ft

NOTES:

05596 - 72  
MIRONA RD -  
PORTSMOUTH NH

DATE: 5/18/2026

REVISION: EXISTING

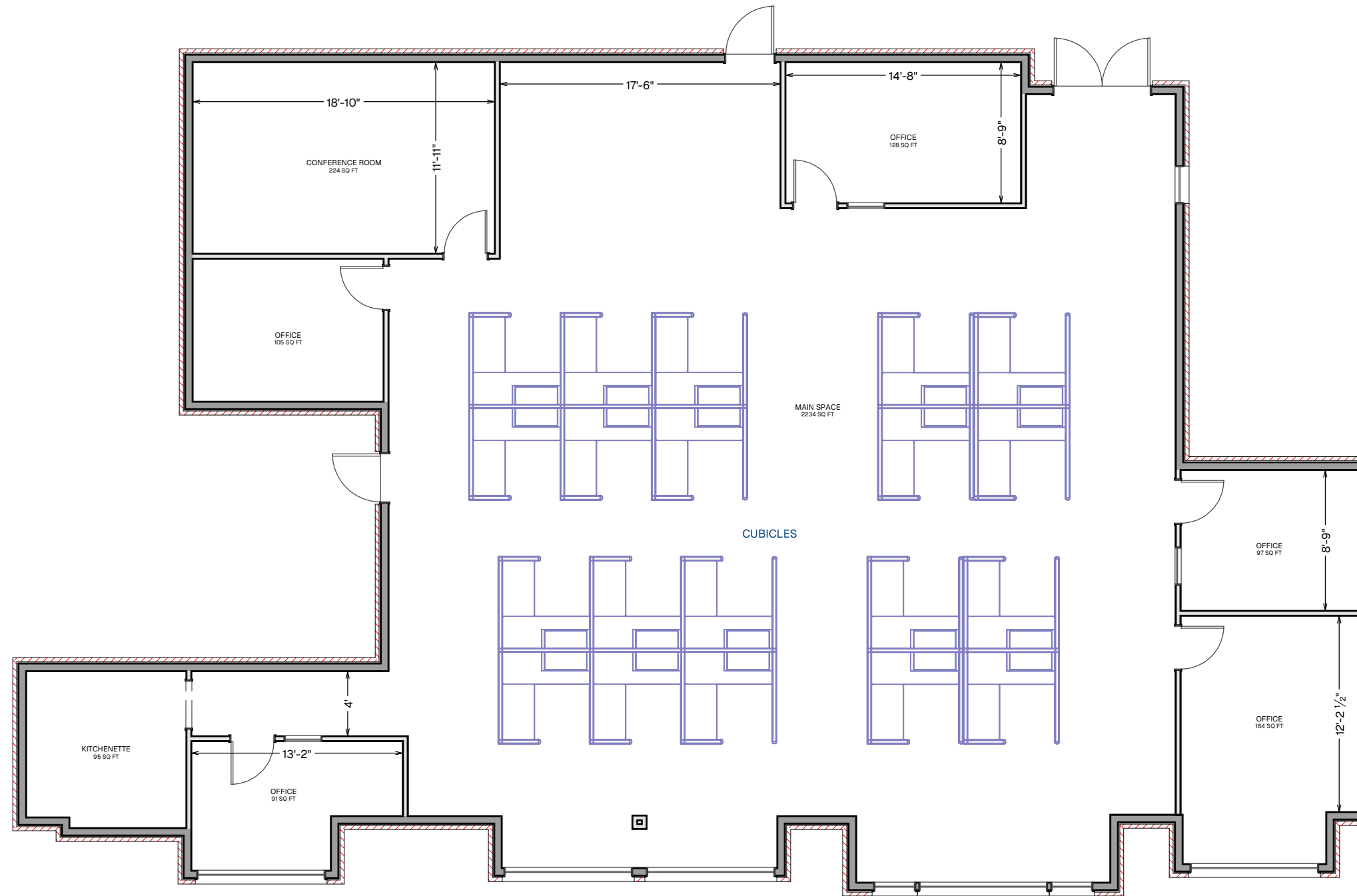
**A101**

NOT FOR CONSTRUCTION

# 72 Mirona Way Portsmouth - NH

**OWNER**  
The Agency Portsmouth  
NH

**DESIGNER/BUILDER**  
Build It Construction



Existing - 2nd Floor  
1/8" = 1 ft

NOTES:

05596 - 72  
MIRONA RD -  
PORTSMOUTH NH

DATE: 5/18/2026

REVISION: EXISTING

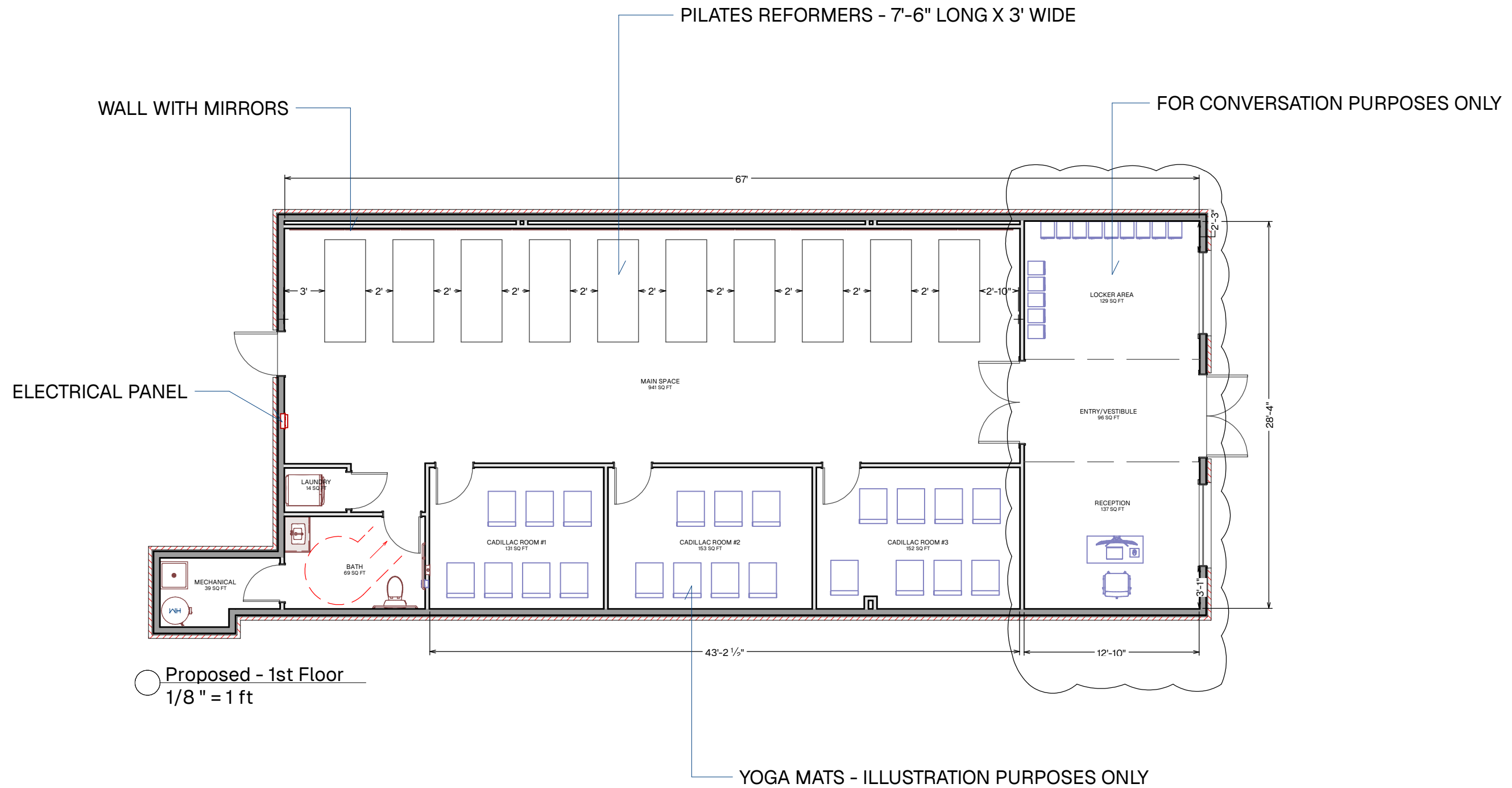
**A102**

NOT FOR CONSTRUCTION

# 72 Mirona Way Portsmouth - NH

**OWNER**  
The Agency Portsmouth  
NH

**DESIGNER/BUILDER**  
Build It Construction



**NOTES:**

**05596 - 72  
MIRONA RD -  
PORTSMOUTH NH**

DATE: 5/18/2026

REVISION: OPT 1

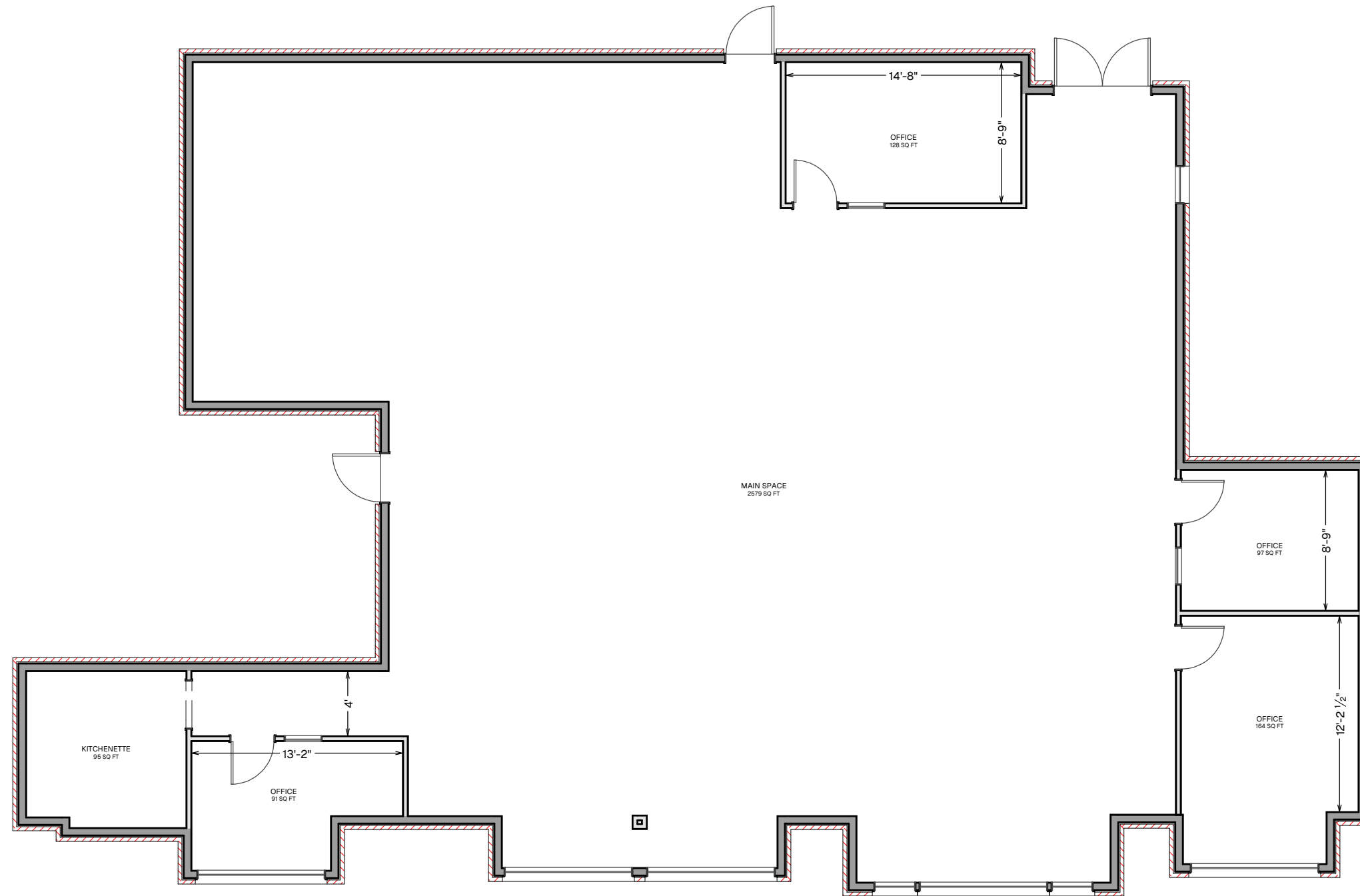
**A103**

NOT FOR CONSTRUCTION

# 72 Mirona Way Portsmouth - NH

**OWNER**  
The Agency Portsmouth  
NH

**DESIGNER/BUILDER**  
Build It Construction



NOTES:

05596 - 72  
MIRONA RD -  
PORTSMOUTH NH  
UNIT 21 / UNIT 22

DATE: 5/18/2026

REVISION: OPT 1

○ Proposed - 2nd Floor - Unit 21/Unit 22  
1/8" = 1 ft

NOT FOR CONSTRUCTION

**A104**



**Left Side of Building where Suites 2 and 21/22 are Located**



Suites 2 and 21/22



**Suite 2**



**Suite 2**



**Suite 21/22**