

Variance: 1010 US Route 1 Bypass

We are applying for a variance to increase the allowable square footage on a canopy from 20 square feet to 95 square feet. Per Section 10.1251.20 of the Zoning Ordinance, the maximum size of a canopy sign in Sign District 4 is 20 square feet.

We are also requesting relief from Section 10.1241 of the Zoning Ordinance, which prohibits animated signs to be permitted in District 4.

Independent and unbranded fuel stations often compete on one thing the largest national chains cannot easily match: price. But lower prices only matter if drivers can see them. In a market where consumers make split-second decisions from the road or while using fuel-finder apps, visibility is everything.

For unbranded stations, displaying lower prices clearly and consistently is not just a marketing tactic — it is a survival strategy. Drivers are conditioned to recognize major fuel brands, and many default to familiar names unless there is an obvious financial reason to stop elsewhere. Prominent price visibility gives independent stations the opportunity to interrupt that habit and reframe the decision around value.

Fuel is also one of the most price-sensitive consumer purchases. Even small differences per gallon influence where customers choose to fill up, especially for commuters, rideshare drivers, fleet operators, and budget-conscious households. When an unbranded station highlights that it is meaningfully cheaper than nearby competitors, it creates an immediate and measurable incentive for drivers to change behavior.

Showing lower prices also helps overcome outdated perceptions that “cheaper” means lower quality. Modern consumers increasingly understand that fuel often comes from the same regional supply systems regardless of branding. Transparent pricing allows independent stations to position themselves as smart, efficient alternatives rather than unknown risks.

Beyond attracting first-time customers, visible price advantages build long-term loyalty. Drivers who consistently save money at an unbranded station are likely to return regularly and recommend the location to others. In many communities, independent stations become trusted local businesses precisely because they are seen as delivering fair prices without the overhead costs associated with national branding.

There is also a broader competitive benefit. When independent stations successfully communicate lower pricing, they introduce more price competition into the local fuel market. That pressure can help keep regional fuel costs lower overall, benefiting consumers and reinforcing the role of independent operators as important market participants.

In today’s environment, where consumers increasingly rely on digital maps, comparison apps, roadside signage, and real-time pricing data, visibility is no longer optional. If unbranded stations do not actively showcase their lower prices, they risk becoming invisible — even when they offer the best value in the market.

We are requesting a variance in terms of:

10.1251.20 The maximum size of a canopy sign in Sign District 4 is 20 SF per Section 10.1251.20 of the Zoning Ordinance

10.1241 The types of signs permitted in each sign district shall be set forth in the following table, except as otherwise provided herein.

1. Granting this variance would not be contrary to the Public Interest

Granting this variance for the proposed additional square footage and alternating signs would not be contrary to the public interest because the signage is intended to improve the clear and efficient communication of fuel pricing information to motorists while maintaining compatibility with the surrounding commercial environment. The proposed functionality is limited to simple, controlled toggling of pricing information and is not intended to create excessive distraction or visual clutter. Approval of the variance would support public convenience and business functionality while remaining consistent with the overall spirit and intent of the ordinance.

2. The proposed use will observe the spirit of the Ordinance

The proposed additional square footage and alternating signs will observe the spirit of the ordinance by maintaining clear and accurate communication of fuel pricing while minimizing visual clutter and driver confusion. The alternating display is limited to simple toggling between fuel prices, allowing necessary information to be presented efficiently within a single sign structure rather than requiring multiple separate signs. The signs are intended to improve readability and visibility for motorists without creating excessive distraction, thereby supporting the ordinance's underlying goals of public safety, orderly appearance, and effective consumer information

3. Substantial Justice would be done to the Property Owner by granting the Variance

Substantial justice would be done to the property owner by granting the variance for the proposed additional square footage and alternating signs because the requested relief would allow the property to communicate fuel pricing information effectively and competitively while still maintaining the overall intent and spirit of the ordinance. Denial of the variance would impose an unnecessary hardship by limiting visibility and efficient communication to motorists, whereas approval would provide reasonable use of the property without creating adverse impacts on the surrounding area or the public interest

4. The proposed use will not diminish the values of surrounding properties

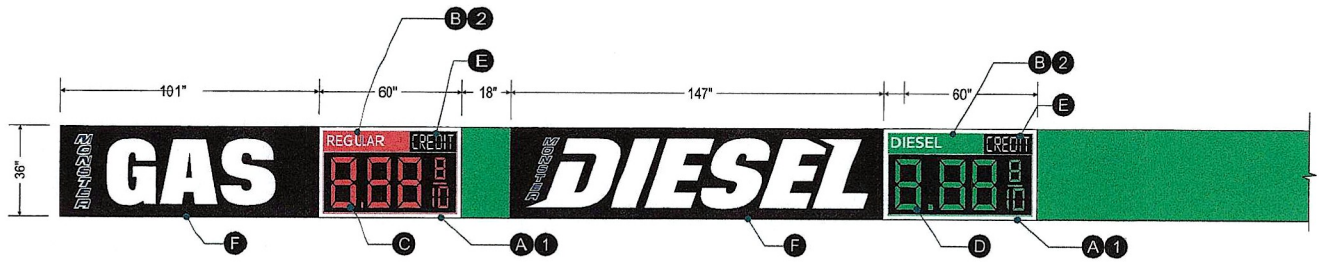
The proposed additional square footage and alternating signs will not diminish the values of surrounding properties because the signage is designed to remain compatible with the commercial character of the area while providing clear and efficient communication of fuel pricing information. The animation is limited in scope and intended solely to display pricing information through simple toggling digits, rather than excessive or distracting movement. The

proposed signage will enhance visibility and functionality for the property without adversely affecting neighboring properties, community aesthetics, or the overall character of the surrounding area.

5. Literal enforcement of the provisions of the ordinance would result in unnecessary hardship because:

Literal enforcement of the provisions of the ordinance would result in unnecessary hardship because it would prevent the property owner from effectively communicating current fuel pricing information to motorists in a safe, efficient, and competitive manner. Due to the limitations on sign size and animation, the property would be unable to adequately display multiple fuel prices within a single sign structure, potentially requiring additional signage or reducing visibility and readability for passing drivers. The proposed larger and animated signs provide a practical solution that preserves the spirit and intent of the ordinance while allowing reasonable use of the property.

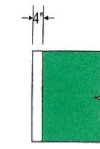
SIGN A: NORTHBOUND CANOPY



FRONT VIEW

Scale: 1/4" = 1'-0"

SQFT: 95



SIDE VIEW

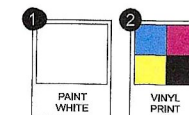
Scale: 1/4" = 1'-0"



PROPOSED SIGNAGE
SCALE: NTS

SPECIFICATIONS

- A Non-illuminated 4" deep sign cabinet
- B ACM faces and opaque graphics
- C Daktronics Fuelight price display, 20" red digits; cabinet size 2' x 4'-8" x 3" deep
- D Daktronics Fuelight price display, 20" green digits; cabinet size 2' x 4'-8" x 3" deep
- E Daktronics Cash Credit alternator display; cabinet size 8" x 1'-7" x 3" deep
- F Vinyl graphics applied to canopy



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- DESIGN
- MANUFACTURE
- INSTALL
- SERVICE

CLIENT:
MABARDY OIL

LOCATION:
1010 US-1 BYP
PORTSMOUTH, NH
03801

DATE:
04/13/2026

ACCT. REP.:
GM
DESIGNER:
ASHLEY L

Rev#	Date:
1.JED CHG	
2. design chg kd	14/17/26

FILE NAME LOC:
MABARDY OIL_FUEL
CANOPY_v2

Please Note: It is the customers responsibility to provide primary electrical service (including ground wiring) directly from panel box, to within six ft. of sign(s). Installation to comply with N.E.C. 407

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CANOPY SIGNS



29'-6 1/4"

CANOPY SIGNS



36'-6 3/4"

1010 US-1 BYP

Masterton Ave

Quits St

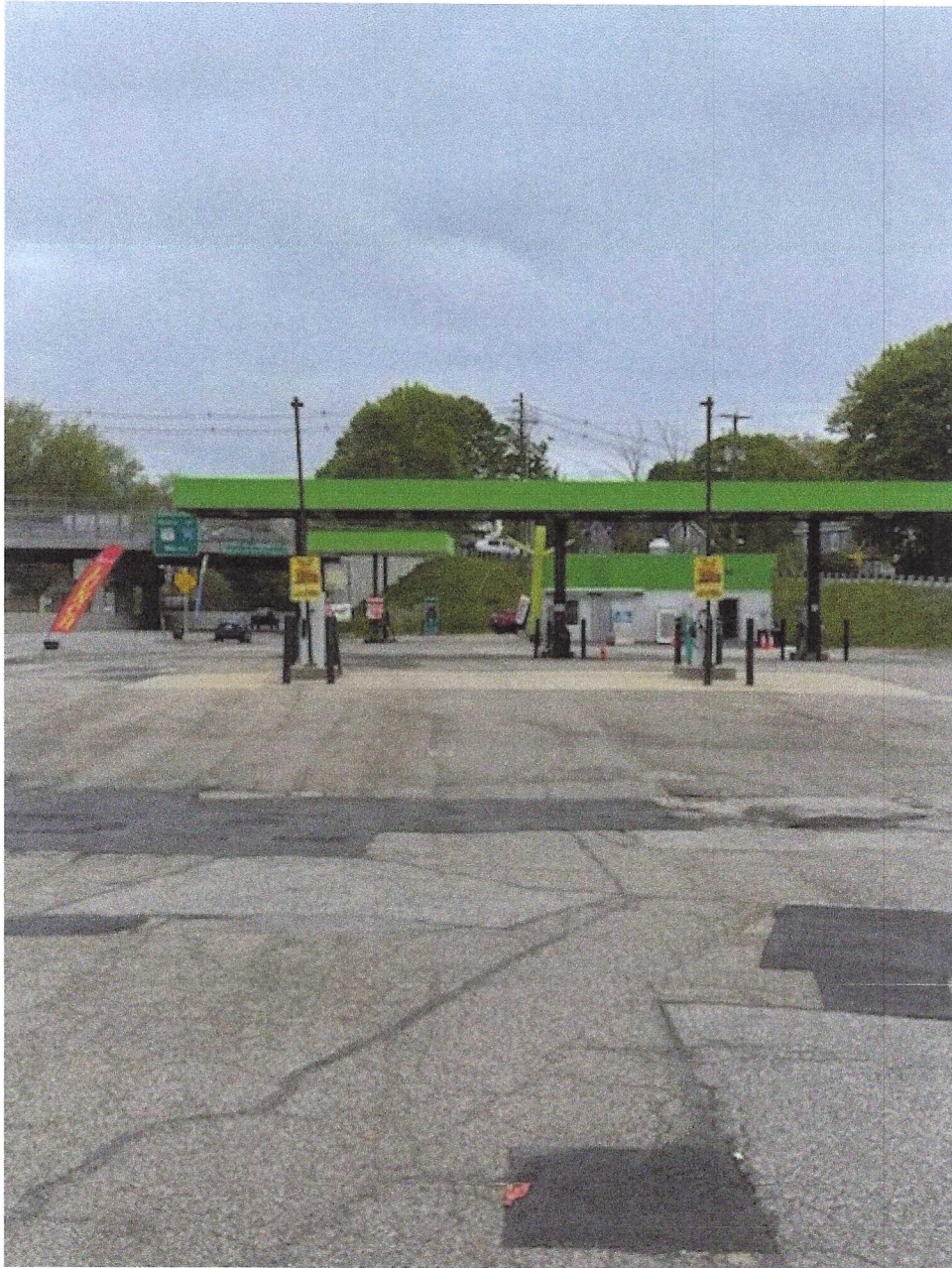
Quits St

Masterton Ave

465

14

Image Landsat/ Copernicus







To whom it may concern:

This letter authorizes Indaba Holdings, dba NH Signs of 66 Gold Ledge Ave., Auburn NH, to act as an authorized agent for I.C.O. R.T. 1 Bypass LLC..... property owner of **1010 Route 1 Bypass | Portsmouth, NH 03801 US (Northbound)** with respect to the submission of applications for sign permits, sign waiver requests, variances or other permit related documents to the Town of Portsmouth.

As an authorized agent of the owner, NH Signs is allowed to sign and submit all forms necessary for the aforementioned application.

Date: 4-6-26

Regards,


Signature