

Zoning Board of Adjustment  
City of Portsmouth, New Hampshire

Dear Members of the Board:

My company, Summit 501 Islington, LLC, is the owner of the three-story office building at 501 Islington Street. Our existing tenant, Dr. Nicole Schertell of Vibrant Naturopathic Healthcare has signed a lease to expand her existing practice into the adjacent, approx. 900sf office space. Dr. Schertell has been operating in approx.. 3,000sf in the building since 2014 and has been a great addition to the neighborhood and the community. We welcome her expansion to continue to serve the community.

When Dr. Schertell opened her business in 2014, medical office was a permitted use for our property. Apparently, the zoning changed for our property in 2014 and medical office is now a non-conforming use which requires a special exception, so I am hereby submitting this application for a Special Exception to permit the expansion of Dr. Schertell's healthcare business.

Our request for a minor building permit to fit up the new space is currently paused according to Peter Stith of the planning department for the following reason:

*A medical office is only allowed by Special Exception in the CD4-L2 zoning district. Section 10.333 states:*

*"A nonconforming use located in a portion of a building or structure shall not be extended throughout other parts of the building or structure."*

According to town ordinance 10.232, the Board shall grant requests for Special Exceptions which are in harmony with the general purpose and intent of the Ordinance and meet the standards of Subsection 10.232.20.

I am unclear on the cause for changing the zoning of our property which now requires a special exception for medical office, but I can see no reason that medical office shouldn't be encouraged in the mixed use area where 501 Islington is an integral part of the community. The 900sf expansion of Dr. Schertell's business is very minor (total building is approx. 26200sf) and we expect no material change in traffic, no change in footprint, or any other change that would be detrimental to the community.

With respect to the specific standards of Subsection 10.232.20, below is the text of the ordinance, with comments concerning this application in ***bold italics***:

**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;

***We are unaware of any standards for medical office that would deny the approval for a special exception. Dr. Schertell's existing business has been operating since 2014 in the adjacent 3000sf space and will be increasing her space by 900 sf, which will have no material impact on the property or the community.***

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

Summit 501 Islington, LLC

***There is no reasonable expectation for hazard to the public. On the contrary, the expansion of Dr. Schertell's medical practice will add space for one additional naturopathic doctor to serve the community out of an existing space that is currently vacant***

**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;

***There will be no change to the exterior of the building at all and we expect no negative impact on any adjacent property.***

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

***We expect no material change in traffic by changing the use of the proposed space. Formerly the space was a financial services office. We expect the amount of traffic and use in the medical office to be similar to previous uses in this space.***

**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

***We expect no change in any municipal services by this minor expansion of a medical office***

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

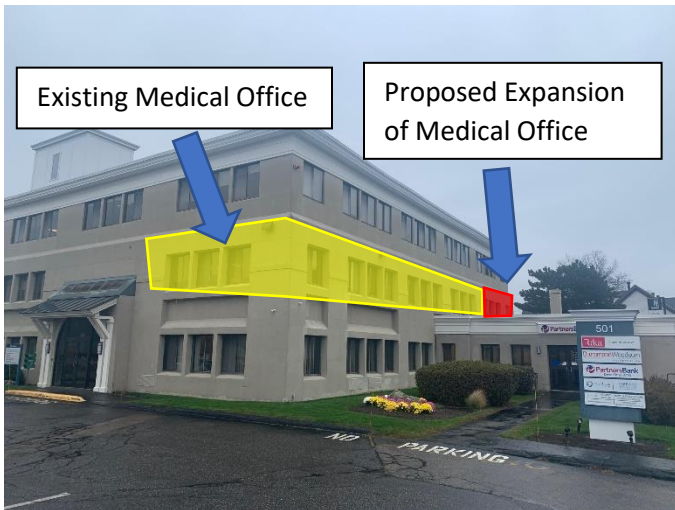
***There will be no change to the exterior of the building at all and we expect no negative impact on stormwater or runoff to any property or street.***

We hope that you will agree that all the criteria for granting this special exception request has been satisfied. Please approve our request for this Special Exception application.

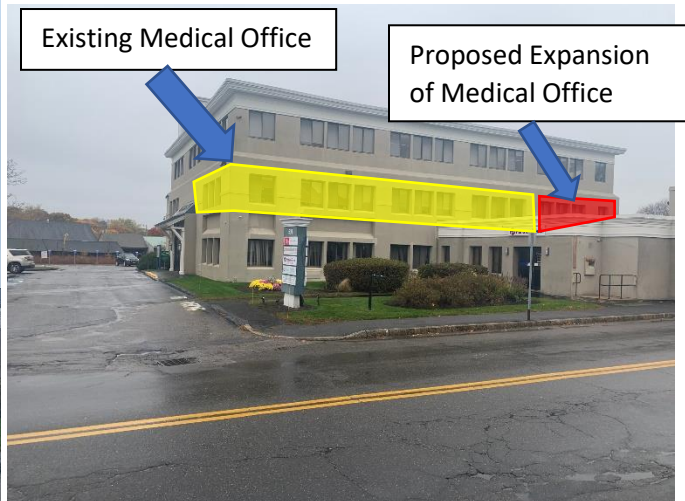
Thank you for your volunteer service!

For Summit 501 Islington, LLC  
Todd Baker, Manager

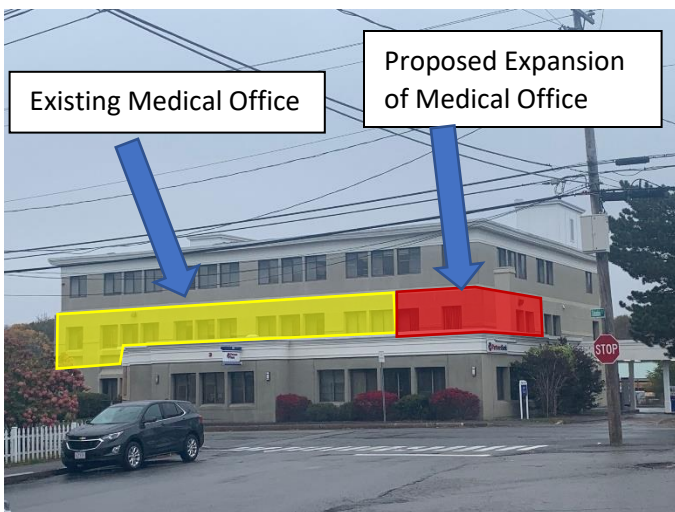
501 Islington Existing Conditions Photographs



Street View Exterior



Street View Exterior



Street View Exterior



Street View List of Businesses

501 Islington Existing Conditions Photographs



Existing Medical Office Interior Entry



Existing Medical Office Interior Lobby



Existing Medical Office Exam room



Existing Medical Office hallway to connect to New Space



501 Islington Existing Conditions Photographs



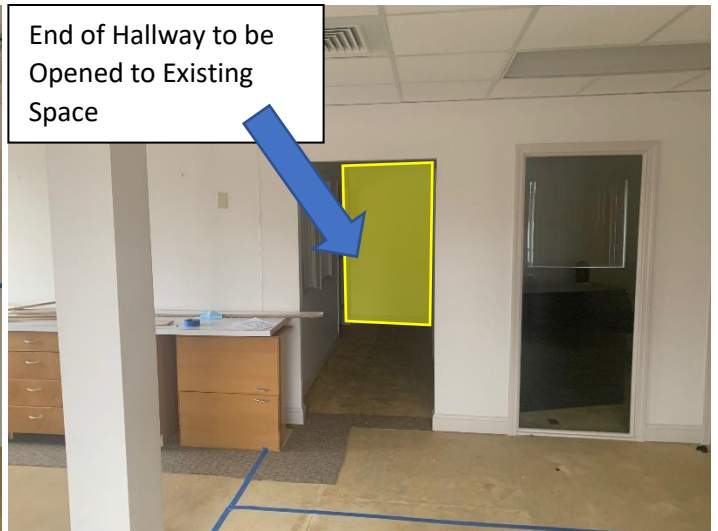
Proposed Vacant Space Entry



Proposed Vacant Space to be Medical Office



Proposed Vacant Space to be Medical Office



Proposed Vacant Space to be Medical Office