

# Findings of Fact | Detached Accessory Dwelling Unit

## City of Portsmouth Planning Board

Date: April 18, 2024

Property Address: 110 Aldrich Rd.

Application #: LU-23-174

Decision:  Approve  Deny  Approve with Conditions

### Findings of Fact:

Per RSA 676:3, I: 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 the all conditions necessary to obtain final approval.

Zoning Ordinance -10.814.60: Before granting a conditional use permit for a detached ADU, the Planning Board shall make the following findings:

	<b>Section 10.814.62</b>	<b>Finding (Meets Requirement/ Criteria)</b>	<b>Supporting Information</b>
<b>1</b>	10.814.621 The ADU complies with all applicable standards of this Section 10.814 or as may be modified by the conditional use permit.	<b>Meets</b>  <b>Does Not Meet</b>	The applicant is seeking 2 modifications, for garage door width and dormer coverage on a roof plane, otherwise the proposed ADU complies with 10.814.
<b>2</b>	10.814.622 The exterior design of the ADU is architecturally consistent with or similar in appearance to the existing principal dwelling on a lot.	<b>Meets</b>  <b>Does Not Meet</b>	The design of the ADU matches the existing dwelling. The proposed dormer matches the dormer on the house, which is the reason for the size of the proposed dormer.
<b>3</b>	10.814.623 The site plan provides adequate and appropriate open space and landscaping for both the ADU and the principal dwelling unit and complies with the off-street parking requirements of 10.814.26.	<b>Meets</b>  <b>Does Not Meet</b>	The parking exceeds the required number of spaces and the site complies with open space and building coverage.
<b>4</b>	10.814.624 The ADU will maintain a compatible relationship with the character of adjacent and neighborhood properties in terms of location, design, and off-street parking layout, and will not significantly reduce the privacy of adjacent properties.	<b>Meets</b>  <b>Does Not Meet</b>	The proposed ADU will be architecturally consistent with the existing dwelling and the location and site layout is compatible with the character of the neighborhood.
<b>5</b>	<b>Other Board Findings:</b>		

Edward R. (Ned) Reynolds  
110 Aldrich Rd.  
Portsmouth, NH 03801  
[NedR64@gmail.com](mailto:NedR64@gmail.com)  
603-365-1725

March 28, 2024

Mr. Rick Chellman  
Chair, Planning Board  
City of Portsmouth  
1 Junkins Ave.  
Portsmouth, NH 03801

Dear Chairman Chellman,

I'm a 23 year resident of Portsmouth. My three children (two college graduates and a PHS senior) and I live in an 1,880 s.f. four bedroom home built in 1900 on Aldrich Rd. I am seeking to add to the supply of workforce housing in the city while increasing the utility and value of our home by constructing a detached 2 car garage with an ADU above.

At 0.4 acres (17,424 s.f.) with 100' of street frontage, I have plenty of lot area and street frontage and more than sufficient setbacks for the project to comply with all such requirements for ADUs. Because a substantial portion of my lot falls within the 100' buffer of a wetland created by home construction and expansion over the course of the 20th century on Boss Ave, Lawrence St. and Middle St., my project required Conservation Commission review. I received approval from the Conservation Commission subject to stipulations outlined in their letter of March 20, 2024. I have submitted documents satisfying stipulations 1 through 4 as part of the package for the April 18 Planning Board meeting, and I agree to comply with stipulations 5 and 6 prior to the issuance of the Building Permit.

Here is my detailed statement explaining how my proposed project will support the findings stipulated in the ADU Zoning Ordinance Section 10.814:

- I intend to keep my principal and the accessory dwelling unit on my lot at 110 Aldrich Rd. under common ownership, my ownership. Once completed I expect that the City will reassess and levy property taxes on both buildings and the lot as one property, and should I ever decide to sell, it would be marketed and sold as one property.
- I intend to occupy the ADU along with my partner as my principal place of residence, while the existing house will serve as a residence and resting place for our children who range in age from 18 – 25. The City has ample documentation in its voter, vehicle, and animal registration records, along with water & sewer billing and the school registration records of my children, that 110 Aldrich Rd. has served as my principal place of residence for the past 10+ years.
- There will be no business operated out of the property, no signage or customers visiting.

- Since the ADU will be occupied by only myself and my girlfriend as a residence, and since the garage underneath the ADU and the driveway leading to it will provide twice as many parking spaces (4) as the occupancy of the ADU requires, there will not be excessive noise, traffic, or parking congestion – in fact, there will be relief to the present on-street parking burden (which nonetheless is well-served by the City’s curb-cutout spaces provided).

Finally, I request relief from two stipulations of the DADU regs:

1) The stipulation in Section 10.814.436 that roof dormers, if provided, may occupy no more than 33% of any roof plane. As illustrated by the pictures of my existing house, and as directed by the Architectural Design Standards in Section 10.814.50, I am aiming to complement (and not mimic) my existing house with the ADU by “reflecting” the dormer design of the *side* of my existing house on the *front* of the DADU/garage. I think this is more aesthetically appealing than mimicry, and it allows for the DADU to have a long saltbox-style rear roof surface (flat and gently sloped) that is perfect for hosting a solar array, as the long axis of the building is aligned at almost exactly 180 degrees south. Dormers on the front also are well suited to the purposes of the interior floor plan. While the combined “doghouse”-”shed” dormer structure would account for 57% of the roof plane, its massing, character, details, and finishes will be entirely consistent with the existing house per the elements of 10.814.51. In short, I think it will look nice, quite complementary to my existing house.

2) The stipulation in Section 10.814.53 that if provided, all street-facing garage doors shall be limited to 9 feet. This seems a curious and arbitrary restriction for an ordinance that applies City-wide (perhaps there would be rationale in the designated Historic District). The primary reason I want a single 16’ wide garage door rather than two 9’ wide garage doors is for functionality, but related to my decision/goal of retaining a single width driveway and the existing front yard screening hedge. Doing so will require vehicles entering and leaving the garage to make a fairly sharp/tight ‘S’ turn. I would like to be able to back trailers into this garage occasionally, negotiating the same tight ‘S’ turn. I don’t want to have to deal (nor would any future owner or tenant) with a cosmetic structural obstacle such as the narrow divider between two single garage doors.

In addition, as illustrated in the following pictures, there are three ‘double-wide’ garage doors on Aldrich Rd. alone, let alone throughout the adjacent neighborhoods. Finally, one of the first detached ADUs to be constructed in the City, in 2019 at 4 Sylvester St., has a ‘double-wide’ garage door facing the street.



4 Sylvester St.



224 Aldrich Rd.



**260 Aldrich Rd.**



**313 Aldrich Rd.**

It is my intent to select a 16' wide garage door design that mimics two single width doors as in a tasteful manner, something along the lines of that pictured below:



Thank you and I look forward to the opportunity to discuss my project with you and the Planning Board at your April 18 meeting.

Ned Raynolds

GENERAL PLAN NOTES

1) ALL DIMENSIONS ARE TO FACE OF FRAMING U.N.O.

110 Aldrich Rd

Portsmouth, NH

SCHEMATIC DESIGN

Ned Reynolds

**WINTER HOLBEN**  
architecture + design

7 WALLINGFORD SQ  
UNIT 2099  
KITTERY, MAINE 03904  
207.994.3104

Drawn By: PG

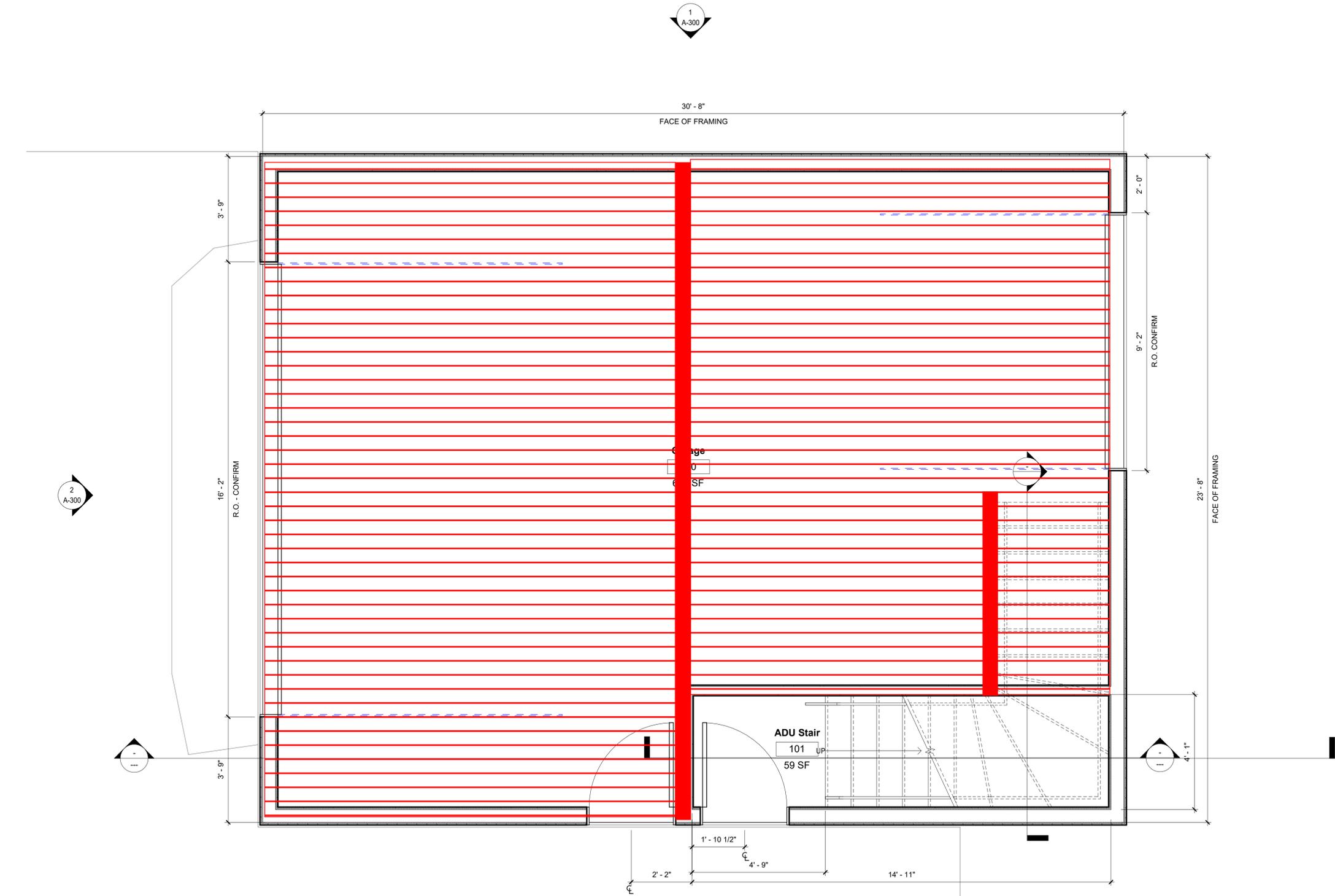
Drawing Checked By: BMH

Drawing Scale: As indicated

Drawing Date: 02/02/24

Project Number: 23123

drawing revisions:		
No.	Description	Date



1 01 - 1st Floor  
1/2" = 1'-0"

LEGEND

-  EXISTING WALL
-  NEW WALL
-  WINDOW TAG

1st Floor

**A-111**

SCHEMATIC DESIGN

Ned Reynolds

**WINTER HOLBEN**  
architecture + design

7 WALLINGFORD SQ  
UNIT 2099  
KITTERY, MAINE 03904  
207.994.3104

Drawn By: PG  
Drawing Checked By: RW  
Drawing Scale: As indicated  
Drawing Date: 02/02/24  
Project Number: 23123

drawing revisions:  
No. Description Date

2nd Floor

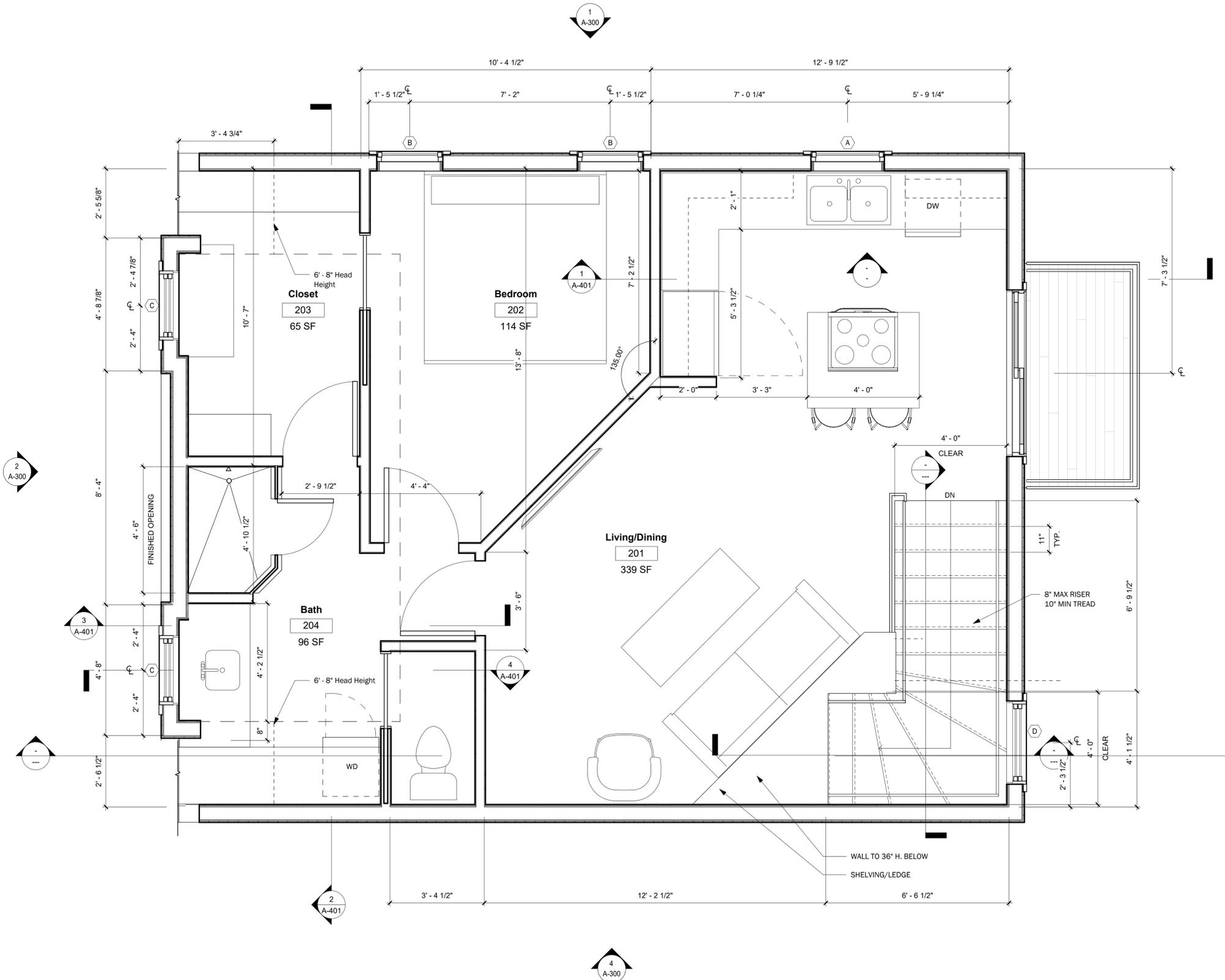
**A-112**

GENERAL PLAN NOTES

1) ALL DIMENSIONS ARE TO FACE OF FRAMING U.N.O.

LEGEND

- EXISTING WALL
- NEW WALL
- WINDOW TAG



1 02 - 2nd Floor  
1/2" = 1'-0"

SCHEMATIC DESIGN

Ned Reynolds

**WINTER HOLBEN**  
architecture + design

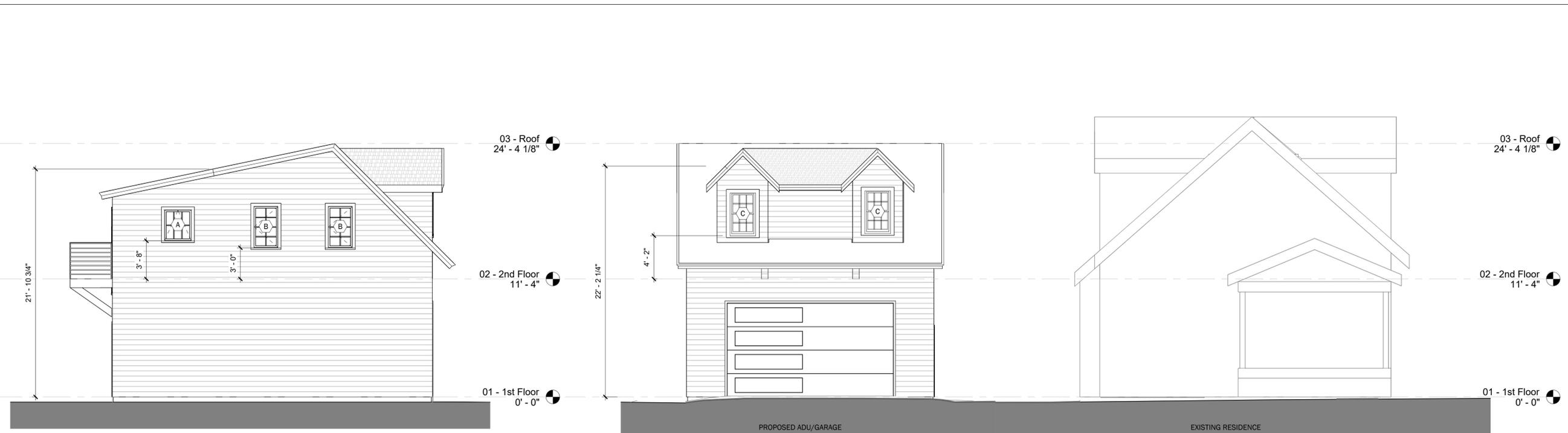
7 WALLINGFORD SQ  
UNIT 2099  
KITTERY, MAINE 03904  
207.994.3104

Drawn By: JH  
Drawing Checked By: BMH  
Drawing Scale: As indicated  
Drawing Date: 02/02/24  
Project Number: 23123

drawing revisions:  
No. Description Date

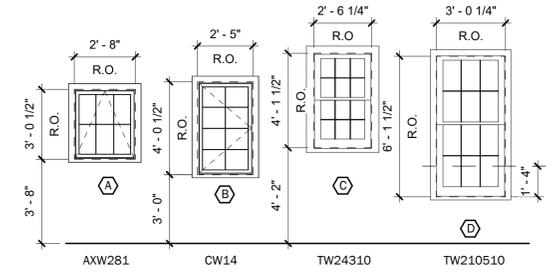
Elevations

**A-300**



① East Elevation  
3/16" = 1'-0"

② North Elevation  
3/16" = 1'-0"



③ South Elevation  
3/16" = 1'-0"



④ West Elevation  
3/16" = 1'-0"

**Street View - 110 Aldrich Rd.**



**Side view of existing house (taken from where DADU/garage would be sited)**





### Areas of wetland and wetland buffer re: 110 Aldrich Rd.



**Property Information**

**Property ID** 0153-0003-0000  
**Location** 110 ALDRICH RD  
**Owner** RAYNOLDS EDWARD R



**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 08/24/2023  
Data updated 3/9/2022

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

# Map Theme Legends

## Wetlands

-  Wetlands
-  100ft Wetlands Buffer

City of Portsmouth

SCHEMATIC DESIGN

Ned Raynolds

**WINTER HOLBEN**  
architecture + design

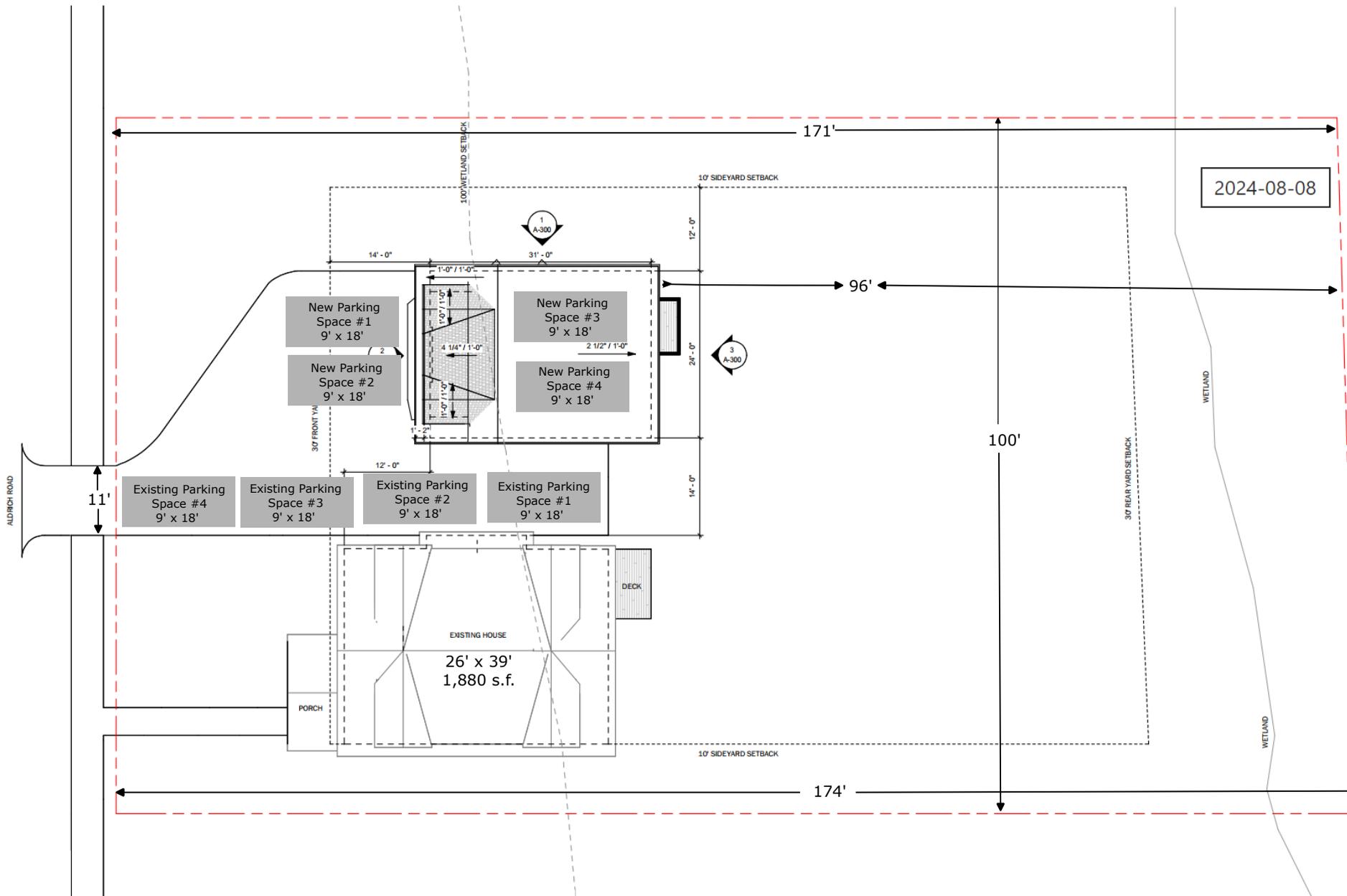
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Drawn By:	PG
Drawing Checked By:	BMH
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Site Development Plan

**A-100**



① Site Development Plan  
1/8" = 1'-0"

**LEGEND**

- EXISTING WALL
- NEW WALL
- WINDOW TAG



View from Aldrich Rd. of site of planned detached 2 car garage with ADU over at 110 Aldrich Rd.

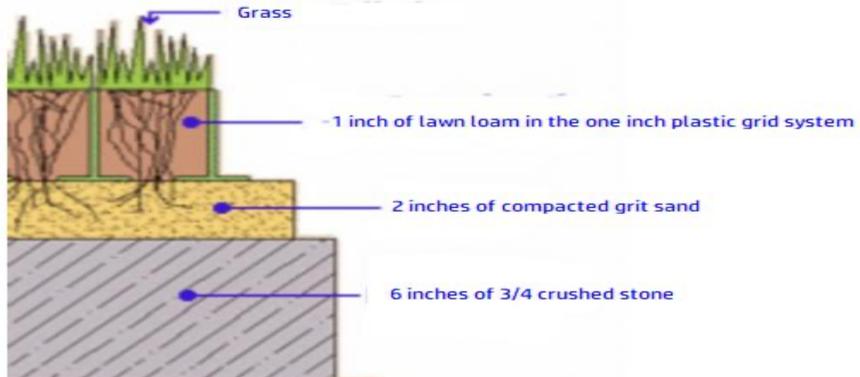
Single width driveway entrance from street to be maintained, as is front yard screening hedge

Neighbor's house at 90 Aldrich Rd is at left

Portable basketball hoop to be removed.

Full View of existing house:





Planting Plan:

- = 30" Red Twig Dogwood
- = 30" Yellow Twig Dogwood
- = 30" Highbush Blueberry

110 Aldrich Rd  
 Portsmouth, NH

SCHEMATIC DESIGN

Ned Reynolds

**WINTER HOLBEN**  
 architecture + design

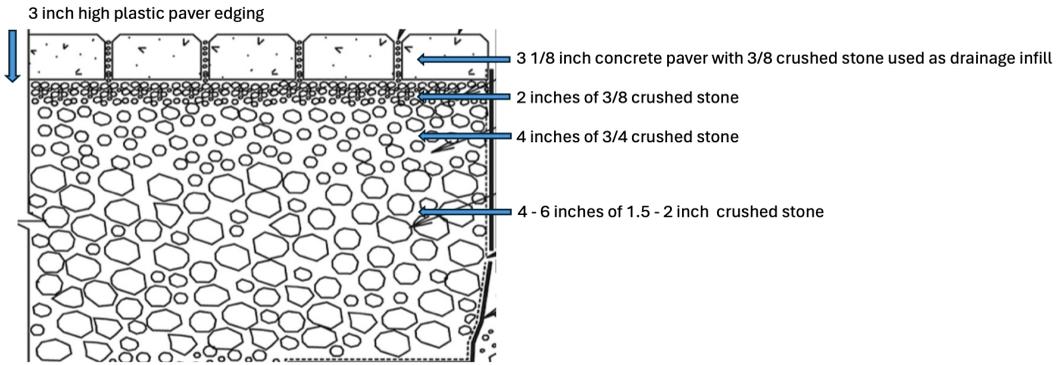
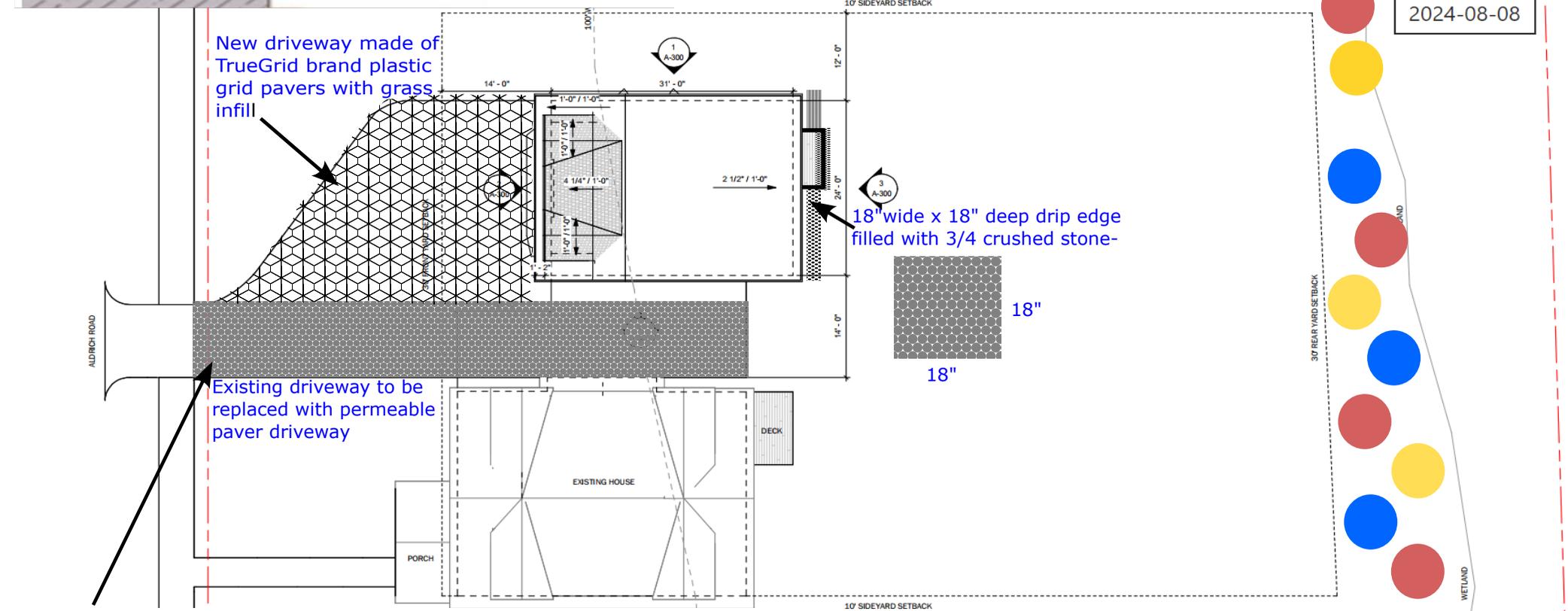
7 WALLINGFORD SQ  
 UNIT 2099  
 KITTERY, MAINE 03904  
 207.994.3104

Drawn By: PG  
 Drawing Checked By: BMH  
 Drawing Scale: As Indicated  
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drawing revisions:  
 No. Description Date

Site Development Plan

**A-100**



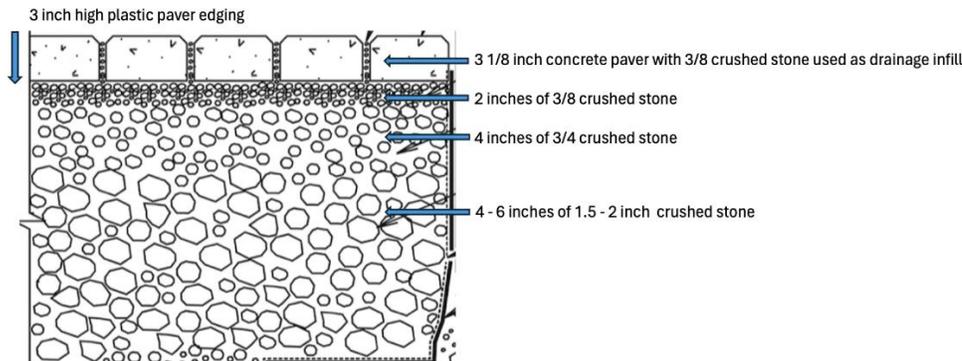
**LEGEND**

- EXISTING WALL
- NEW WALL
- WINDOW TAG



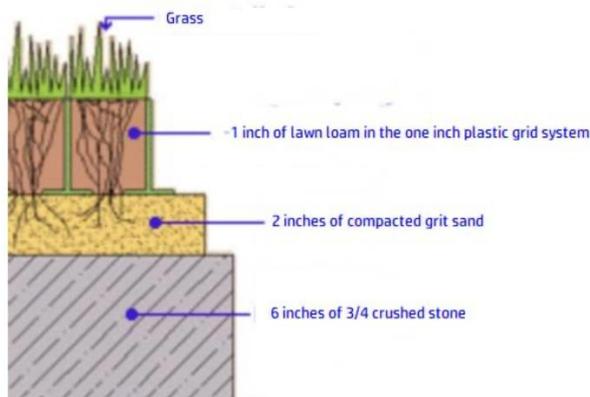
## MAINTENANCE PLAN – NEW DRIVEWAYS for GARAGE/ADU PROJECT at 110 ALDRICH RD.

### 1) Main Driveway – asphalt to be replaced by permeable pavers

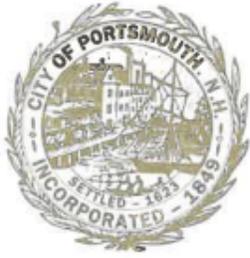


- No use of sand or salt in winter (I've never used any of that on my asphalt driveway, I'm not going to start now!)
- No snowplow – clear snow by hand shovel or electric snowblower
- Weed control with periodic (1 or 2 x/season) application of water/vinegar solution with garden sprayer. Weed by hand as necessary.
- Annual (springtime) cleaning with a stiff brush
- Regular (1x/month and after major rainstorms) clear debris & leaves with blower
- Annually replenish 3/8" crushed stone infill between pavers as necessary
- Annually maintain looseness of infill by use of spiked handwheel

### 2) New Driveway for 2 car garage – TrueGrid® plastic pavers with lawn loam & grass infill



- Maintain just like a grass lawn – seed, water, mow (in this case) to 1" height
- Monthly gentle raking to clear leaves, twigs, debris from grass
- Annually replenish loam by spreading a fine layer with lawn spreader
- No use of sand or salt in winter
- No snowplow – clear snow by hand shovel or electric snowblower
- Annual inspection of grid connections and structure for integrity, replace any broken sections as necessary



# CITY OF PORTSMOUTH

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

## CONSERVATION COMMISSION

March 20, 2024

Edward R. Raynolds

110 Aldrich Road  
Portsmouth, New Hampshire 03801

RE: Wetland CUP request for property located at 110 Aldrich Road (LU-23-174)

Dear Mr. Raynolds:

The Conservation Commission, at its regularly scheduled meeting of **Wednesday, March 13, 2024**, considered your application for the construction of a 768 s.f. detached, two car garage with an accessory dwelling unit on the second floor. Approximately 522 s.f. will be impacting the 100 ft wetland buffer as a permanent impervious impact, with the edge of the proposed garage located approximately 76 ft from the wetland resource. To mitigate the impacts to the wetland buffer, the applicant is proposing to remove 144 s.f. of impervious asphalt from the buffer, and an additional 590 s.f. of asphalt from outside the buffer, to be converted to pervious pavers for the driveway. The applicant is also proposing the addition of plastic reinforced grass area to lead from the proposed garage bays to the existing driveway area.. Said property is shown on Assessor Map 153, Lot 3 and lies within the Single Residence B (SRB) District. As a result of said consideration, the Commission voted to recommend approval of the application to the Planning Board with the following stipulations:.

1. Applicant shall provide a clear delineation of the proposed driveways and their surfaces; including the proposed permeable paver driveway and the plastic-reinforced driveway. Specifications on the driveways should include any edging and/or plantings, and a cross-section of each driveway surface type shall be provided which should include the substrate material and its proposed depth.
2. Applicant shall provide a maintenance plan for the proposed driveway material and a maintenance plan for the plastic-reinforced driveway material.
3. Applicant shall include information in the final site plan for any drainage swales and/or drip edges proposed for drainage off the new garage roof. For the proposed drip edges,, please include a cross-section of the proposed drip edge construction, along with the substrate material and its proposed area and depth.
4. Applicant shall provide a planting plan that includes the location, size and species of the proposed plantings within the 25' vegetative buffer. This should include at least 10 shrubs of a native species.
5. In accordance with Section 10.1018.40 of the Zoning Ordinance, applicant shall install permanent wetland boundary markers. We suggest that these markers are placed along the 25' vegetative buffer at intervals of every 50 feet. These must be installed prior to the start of

any construction. These can be purchased through the City of Portsmouth Planning and Sustainability Department.

6. Applicant shall remove all debris/trash from the wetland and 25' vegetative buffer, including the wood decking/pallet structure.

This matter will be placed on the agenda for the Planning Board meeting scheduled for **Thursday, April 18, 2024**. One (1) hard copy of any revised plans and/or exhibits as well as an updated electronic file (in a PDF format) must be filed in the Planning & Sustainability Department and uploaded to the online permit system no later than Wednesday, March 27, 2024.

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

Very truly yours,

A handwritten signature in black ink, appearing to read 'S. Collins', written in a cursive style.

Samantha Collins, Chair  
Conservation Commission

cc: