HOEFLE, PHOENIX, GORMLEY & ROBERTS, PLLC

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May 21, 2025

HAND DELIVERED

Stefanie Casella, Planner Portsmouth Zoning Board of Adjustment One Junkins Avenue Portsmouth NH 03801

> Re: Greengard Center for Autism 89 Brewery Lane/Tax Map 146, Lot 26, CD4-L2 District

Dear Ms. Casella, Chair Eldridge, and Zoning Board Members:

On behalf of the Greengard Center for Autism and her non-profit, Greengard Residence, we are pleased to submit this Application for Variances permitting conversion of staff space to accommodate a sixth resident:

- 5/21/2025 Viewpoint Submission
- Owner Authorization
- 5/21/2025 Memorandum of Law and Exhibits in Support of the Variance Request.

We look forward to presenting this application at the June 17, 2025 Zoning Board

Meeting.

Very truly yours,

R. Timothy Phoenix Monica F. Kieser

Enclosures

cc: Greengard Center for Autism TF Moran Destefano|Maugel

DANIEL C. HOEFLE R. TIMOTHY PHOENIX LAWRENCE B. GORMLEY R. PETER TAYLOR ALEC L. MCEACHERN KEVIN M. BAUM JACOB J.B. MARVELLEY GREGORY D. ROBBINS PETER V. DOYLE Monica F. Kieser Christopher P. Mulligan Karen W. Oliver

STEPHEN H. ROBERTS In Memoriam OF COUNSEL: SAMUEL R. REID JOHN AHLGREN

Monica Kieser

From:	brfrankel8@aol.com
Sent:	Tuesday, January 21, 2025 5:40 PM
То:	Monica Kieser
Subject:	Authorization
-	

Smokeball

Hi Monica,

Categories:

Here is the authorization. You will notice that I have changed from Executive Director to President of Board. We hired an Executive Director.

I authorize Hoefle, Phoenix, Gormley & Roberts, PLLC to execute all applications before Portsmouth Land Use Boards and to take any and all actions necessary throughout the application and permitting process, including but not limited to attendance and presentation at public hearings regarding the property at 89 Brewery Lane, Tax Map-Lot- 146-26.

GREENGARD CENTER FOR AUTISM

Barbara Frankel, Founder & President of Board

MEMORANDUM

To:	Portsmouth Zoning Board of Adjustment ("ZBA")
From:	R. Timothy Phoenix, Esq.
	Monica F. Kieser, Esq.
Date:	May 21, 2025
Re:	Greengard Center for Autism
	Project Location: 89 Brewery Lane
	Tax Map 146, Lot 26 – CD4-L2 District

Dear Chair Eldridge and Zoning Board Members:

On behalf of the Greengard Center for Autism ("Greengard"), we are pleased to submit this Memorandum and attached exhibits in support of zoning relief to permit the conversion of staff space to support a sixth autistic adult resident.

I. <u>EXHIBITS</u>

- A. <u>Plan Set</u> by TFMoran for reference only, no change.
 - 2/26/18 Site Plan
 - 1/8/2020 Grading and Drainage Plan
- B. <u>2018 Architectural Plans</u> by Destefano Architects for reference only.
- C. <u>Site Photographs</u>.
- D. <u>89 Brewery Lane in Context</u>.
- E. <u>Tax Map 146</u>.

II. <u>PROPERTY/PROJECT HISTORY</u>

Eighty-nine Brewery Lane is a 25,466 square foot lot with a colonial-style home constructed in 2020 as an assisted living home for five autistic adults and a live-in caretaker ("the Property"). The ZBA approved the assisted living home in 2015 and 2018. (Exhibit A-C). In addition to the live-in caretaker, Greengard's original plan provided for an upstairs staff suite. (Exhibit B, second story floor plan). In practice, Greengard has found it unnecessary to have another staff suite on the second floor and would like to convert this space for use by a sixth autistic adult ("the Project"). The Project requires no site changes, building changes, or additional parking. The sole modification is to change the designation of the second story "staff office" by the elevator to a "suite" for a sixth resident. The Project requires relief because the increase from five residents to six residents changes the use from an assisted living *home* (five or fewer residents) to an assisted living *center* (six or more residents) as those terms are defined in the Ordinance.

The Property is located in the CD 4-L2 district in a transition area between the CD-4W

Memorandum to Portsmouth Zoning Board 89 Brewery Lane

(Malt House Exchange, Plaza 800) and the GRC (Cass Street) and GRA (Chevrolet Avenue) residential districts (Exhibit D). The area surrounding the Property includes mixed single, multi-family and condominium residences on Cass Street and Chevrolet Avenue, and the mostly commercial activities of the abutting Albany Street/Brewery Lane businesses, Plaza 800, and the Malt House exchange where Greengard operates its day program.

III. <u>RELIEF REQUIRED</u>

A. <u>PZO § 10.440.2.11 to permit a sixth resident where doing so changes the use</u> to an assisted living center where such use is not permitted.

IV. VARIANCE CRITERIA

1. <u>The variances will not be contrary to the public interest.</u>

2. <u>The spirit of the ordinance is observed.</u>

The first step in the ZBA's analysis is to determine whether granting a variance is not contrary to the public interest and is consistent with the spirit and intent of the ordinance, considered together pursuant to <u>Malachy Glen Associates, Inc. v. Town of Chichester</u>, 155 N.H. 102 (2007) and its progeny. Upon examination, it must be determined whether granting a variance "would unduly and to a marked degree conflict with the ordinance such that it violates the ordinance's basic zoning objectives." <u>Id</u>. "Mere conflict with the zoning ordinance is not enough." Id.

The purpose of the Portsmouth Zoning Ordinance as set forth in PZO Section 10.121 is "to promote the health, safety and the general welfare of Portsmouth and its region in accordance with the City of Portsmouth Master Plan [by] regulating:

- <u>The use of land, buildings and structures for business, industrial, residential and other</u> <u>purposes</u>. The existing assisted living home was permitted by special exception in 2015 and 2018, constructed in 2020 and now supports five residents. The addition of a sixth resident in the existing home requires no interior or exterior modifications to the home or parking.
- <u>The intensity of land use, including lot sizes, building coverage, building height and bulk,</u> <u>yards and open space</u>. There will be no expansion to the existing building and therefore no change to any existing dimensions. The addition of a sixth resident does not meaningfully increase the intensity of the use.
- <u>The design of the facilities for vehicular access, circulation, parking and loading</u>. The addition of a sixth resident does not require any change to the number of parking spaces, so existing features will remain the same.
- <u>The impacts on properties of outdoor lighting, noise, vibration, storm water runoff on</u> <u>flooding</u>. The Project proposes no change to the building and simply reclassifies staff

Memorandum to Portsmouth Zoning Board 89 Brewery Lane

space to accommodate a sixth resident. Accordingly, there is no change compared to existing conditions.

- <u>The preservation and enhancement of the visual environment</u>. The existing colonial home is a welcome addition to the neighborhood and will remain unchanged.
- <u>The preservation of historic districts, and building and structures of historic or</u> <u>architectural interest</u>. This location is not in the historic district.
- <u>The protection of natural resources, including groundwater, service water, wetland,</u> <u>wildlife habitat and air quality</u>. The building and site will not be changed in any way and the addition of a sixth resident will not meaningfully increase demand for city services.

Given the lack of physical changes to the building and site and the minimal change in use

through addition of a sixth resident, the requested relief does not "in a marked degree conflict with the ordinance such that [it] violates the ordinance's basic zoning objectives." <u>Malachy</u> <u>Glen</u>, *supra*, which also held:

One way to ascertain whether granting the variance would violate basic zoning objectives is to examine whether it would <u>alter the</u> <u>essential character of the locality</u>.....Another approach to [determine] whether granting the variance violates basic zoning objectives is to examine whether granting the variance would <u>threaten the public health, safety or welfare</u>. (emphasis added)

The construction of the colonial home vastly improved over the dated ranch and provides a transition from the intensive commercial uses and the adjacent GRC Zone and fits in well. The Project will not alter the site or building and will therefore preserve the essential character of the locality. The addition of one additional resident will not threaten the public health, safety, or welfare.

3. <u>Substantial justice will be done by granting the variance.</u>

If "there is no benefit to the public that would outweigh the hardship to the applicant, this factor is satisfied." <u>Harborside Associates, L.P. v. Parade Residence Hotel, L.L.C.</u>, 162 N.H. 508 (2011). That is, "any loss to the [applicant] that is not outweighed by a gain to the general public is an injustice." <u>Malachy Glen</u>, *supra* at 109.

Greengard is constitutionally entitled to the use of the lot as they see fit, subject to the effect of an additional resident on the use regulations. "The right to use and enjoy one's property is a fundamental right protected by both the State and Federal Constitutions." <u>N.H. CONST. pt.</u> <u>I, arts. 2, 12; U.S. CONST. amends. V, XIV; Town of Chesterfield v. Brooks</u>, 126 N.H. 64 (1985) at 68. Part I, Article 12 of the New Hampshire Constitution provides in part that "no part of a man's property shall be taken from him, or applied to public uses, without his own consent,

or that of the representative body of the people." Thus, our State Constitutional protections limit the police power of the State and its municipalities in their regulation of the use of property. <u>L.</u> <u>Grossman & Sons, Inc. v. Town of Gilford</u>, 118 N.H. 480, 482 (1978). "Property" in the constitutional sense has been interpreted to mean not the tangible property itself, *but rather the right to possess, use, enjoy and dispose of it*. <u>Burrows v. City of Keene</u>, 121 N.H. 590, 597 (1981). (emphasis added).

The Supreme Court has also held that zoning ordinances must be reasonable, not arbitrary and must rest upon some ground of difference having fair and substantial relation to the object of the regulation. <u>Simplex Technologies, Inc. v. Town of Newington</u>, 145 N.H. 727, 731 (2001); <u>Chesterfield</u> at 69.

As noted above, the existing colonial structure was purpose built to house autistic adults with services and a live-in caretaker. An additional residential staff suite on the second floor is not needed for staff and would be better suited to meet the demand for assisted living environments suitable for autistic adults. Given no harm to the public, Greengard and the community will be greatly harmed by denial of an additional resident where one can be accommodated with no change to the site or building. For these reasons, substantial justice will be done by granting each variance while a substantial injustice will be done by denying any of them.

4. <u>Granting the variance will not diminish surrounding property values.</u>

The tasteful addition of the colonial home in place of a dated ranch was a significant improvement to the neighborhood and acts as a smooth transition from the commercial uses at the Malt House Exchange to the adjacent residences on Albany/Brewery Lane and the GRC Zone. The CD4-L2 district permits a number of uses including multi-family up to eight units, professional office space, and – by special exception – a residential care facility for *more* than five residents, which is more intensive than adding a sixth resident to Greengard. Given the improvements to the Property, the existing use transitional area and the lack of any noticeable impact, granting the variance will not diminish surrounding property values.

4. <u>Denial of the variances results in an unnecessary hardship.</u>

a. <u>Special conditions distinguish the property/project from others in the area</u>.

The Property is located in a transitional area abutted by intensive commercial uses

Memorandum to Portsmouth Zoning Board 89 Brewery Lane

including a large parking lot serving Malt House Exchange as well as multi-family homes and condominiums. The existing assisted living home in a brand-new and aesthetically pleasing colonial home that fits in well with the neighborhood. Its current use includes a designated second floor staff unit that is not needed while the demand for quality assisted living environment autistic adults continues to increase. These factors combine to create special conditions.

b. <u>No fair and substantial relationship exists between the general public</u> purposes of the ordinance and its specific application in this instance.

Use restrictions exist to keep similar uses together, avoid uses that conflict, and to provide a transition between zones. The existing assisted living home accommodates five residents and an upstairs staff suite. The Project reclassifies that suite to accommodate a sixth resident with no changes to the site or building. While the Project technically results in a change of use to an assisted living *center*, the addition of a sixth resident is not noticeable and is less intensive than some uses permitted by right by special exception. As an example, a multi-family accommodating eight units is permitted and a residential care facility for more than six residents is permitted by special exception. Both would be more intensive than the simple addition of a sixth resident who can reside in the existing upstairs staff suite. For these reasons, there is no fair and substantial reason to apply the strict requirements of the ordinance.

c. <u>The proposed use is reasonable.</u>

The existing use permitted by special exception accommodates five residents. A sixth resident can reside in an underutilized staff suite with no other changes to the building or site. For all of the reasons cited, the proposed use, and the granting of a variance is reasonable.

V. <u>CONCLUSION</u>

For all of the reasons herein stated, Greengard respectfully requests that the Portsmouth Zoning Board of Adjustment grant the submitted variance request.

Respectfully submitted,

GREENGARD CENTER FOR AUTISM

ne By:

R. Timothy Phoenix Monica F. Kieser



PLANT DA

CONTACT DIG SAFE 72 BUSINESS

HOURS PRIOR TO CONSTRUCTION



Moran, Inc This plan is not effective unless signed by a duly authorized

officer of Thomas F. Moran, Inc.

1. THE PURPOSE OF THIS PLAN IS TO SHOW THE PROPOSED SITE IMPROVEMENTS ASSOCIATED WITH THIS PROJECT. THIS INCLUDES THE DEMOLITION OF THE EXISTING BUILDING WITH ASSOCIATED PARKING, UTILITIES, GRADING DRAINAGE, LIGHTING AND STORMWATER MANAGEMENT.

4. CONTACT EASEMENT OWNERS PRIOR TO COMMENCING ANY WORK WITHIN THE EASEMENTS.

5. ALL WORK SHALL CONFORM TO THE APPLICABLE REGULATIONS AND STANDARDS OF THE CITY OF PORTSMOUTH AND SHALL BE BUILT IN A

6. ALL WORK TO CONFORM TO THE CITY OF PORTSMOUTH, DEPARTMENT OF PUBLIC WORKS STANDARD SPECIFICATIONS. ALL WORK WITHIN THE

7. ALL DEMOLITION SHALL INSURE MINIMUM INTERFERENCE WITH ROADS, STREETS, WALKWAYS AND ANY OTHER ADJACENT OPERATING FACILITIES. PRIOR WRITTEN PERMISSION FROM THE OWNER/DEVELOPER AND LOCAL PERMITTING AUTHORITY IS REQUIRED IF CLOSURE/OBSTRUCTIONS TO ROADS, STREET, WALKWAYS AND OTHERS IS DEEMED NECESSARY. CONTRACTOR TO PROVIDE ALTERNATE ROUTES AROUND CLOSURES/OBSTRUCTIONS PER

8. REFER TO ARCHITECTURAL PLANS FOR LAYOUT OF BUILDING FOUNDATIONS AND CONCRETE ELEMENTS WHICH ABUT THE BUILDING SUCH AS STAIRS, SIDEWALKS AND PADS. DO NOT USE SITE PLANS FOR LAYOUT OF FOUNDATIONS.

9. SEE SNOW STORAGE LOCATIONS. IN THE EVENT THAT THE SNOW STORAGE AREAS PROVIDED ON THE SITE ARE COMPLETELY UTILIZED, EXCESS SNOW SHALL BE TRANSPORTED OFF SITE FOR DISPOSAL IN ACCORDANCE WITH NHDES REGULATION.

10. TEMPORARY FENCING SHALL BE PROVIDED AND COVERED WITH A FABRIC MATERIAL TO CONTROL DUST MITIGATION.

11. IN THE EVENT OF A CONFLICT BETWEEN PLANS, SPECIFICATIONS, AND DETAILS, THE ENGINEER SHALL BE NOTIFIED IMMEDIATELY FOR CLARIFICATION. 12. IF CONDITIONS AT THE SITE ARE DIFFERENT THAN SHOWN ON THE PLANS, THE ENGINEER SHALL BE NOTIFIED PRIOR TO PROCEEDING WITH THE

13. THESE PLANS WERE PREPARED UNDER THE SUPERVISION OF A LICENSED PROFESSIONAL ENGINEER. MSC A DIVISION OF TEMORAN, INC. ASSUMES NO

DIVISION OF TEMORAN, INC., DO NOT EXTEND TO OR INCLUDE SYSTEMS PERTAINING TO THE SAFETY OF THE CONSTRUCTION CONTRACTOR OR THEIR EMPLOYEES, AGENTS OR REPRESENTATIVES IN THE PERFORMANCE OF THE WORK. THE SEAL OF THE SURVEYOR OR ENGINEER HEREON DOES NOT EXTEND TO ANY SUCH SAFETY SYSTEMS THAT MAY NOW OR HEREAFTER BE INCORPORATED INTO THESE PLANS. THE CONSTRUCTION CONTRACTOR SHALL PREPARE OR OBTAIN THE APPROPRIATE SAFETY SYSTEMS WHICH MAY BE REQUIRED BY THE US OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) AND/OR LOCAL REGULATIONS.

- J. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO BECOME FAMILIAR WITH THE SITE AI SURROUNDING CONDITIONS. THE CONTRACTOR SHALL ADVISE THE APPROPRIATE AUTHORITY
- K. THE CONTRACTOR SHALL MAINTAIN EMERGENCY ACCESS TO ALL AREAS AFFECTED BY WOF 21. ALL CONDITIONS ON THIS PLAN SHALL REMAIN IN EFFECT IN PERPETUITY PURSUANT TO THE
- 22. THE DRAINAGE SYSTEM DESIGN SHALL BE REVIEWED AND APPROVED BY DPW AT THE TIME

		4	08/01/18	Added note #22 per regulatory comment
10 0	20	3	07/10/18	Revised per regulatory comments.
		2	06/19/18	Revised per regulatory comments.
		1	05/21/18	Revised per regulatory comments.
Graphic Scale in Feet		REV.	DATE	DESCRIPTION

SITE DATA

ZONED: EXISTING USE: PROPOSED USE:	CHARACTER DISTRICT 4–L2 (CD4–L2) RESIDENTIAL ASSISTED LIVING HOME			
DIMENSIONAL REQUI	REMENTS			
MINIMUM LOT LOT AREA LOT AREA	DIMENSIONS:	<u>REQUIRED:</u> 3,000 SF 3,000 SF	<u>PROVIDED:</u> 25,466 SF 25,466 SF	
YARD DIMENSIONS: MAX PRINCIPAL FRONT MAX SECONDARY FRONT SIDE MIN REAR		15 FT 12 FT 5 FT MIN/20 FT MAX 5 FT	76 FT * N/A 37 FT * 15 FT	
MAXIMUM STRL BUILDING BUILDING BUILDING	JCTURE DIMENSIONS: HEIGHT COVERAGE FOOTPRINT	2–3 STORIES/40 FT 60 % 2,500 SF	2 STORIES/25± FT 13± % 3,146 SF *	
MINIMUM OPEN	I SPACE	25 %	49± %	
PARKING REQUIREMI	<u>ENTS</u>			
PARKING SPAC ACCESSIBLE S PARKING SPAC AISLE WIDTH	ES (SEE CALCULATION) PACES (REQ'D BY ADA) E SIZE	3 SPACES 1 SPACE 8.5 FT x 19 FT 24 FT	4 SPACES 1 SPACE 9 FT × 20 FT 24 FT	
PARKING CALCULATI	<u>ONS</u>			
REQUIRED PAR ASSISTED	KING RATIO: LIVING HOME: 0.5 SPAC	CES PER ASSISTED LIVING	UNIT + 1 SPACE FOR	CARETAKER

REQUIRED PARKING SPACES: 5 ASSISTED LIVING UNITS * 0.5 SPACES/ASSISTED LIVING UNIT = 2.5 TOTAL REQUIRED = 3 SPACES

SPECIAL EXCEPTION

ZONING RELIEF WAS GRANTED ON AUGUST 18, 2015 FROM THE FOLLOWING ARTICLE OF THE CITY OF PORTSMOUTH ZONING ORDINANCE WITH A ONE YEAR EXTENSION THROUGH AUGUST 18, 2018:

1. SECTION 10.440 - TO ALLOW AN ASSISTED LIVING HOME WHERE A SPECIAL EXCEPTION IS REQUIRED.

VARIANCE

* VARIANCE RECEIVED

ZONING RELIEF WAS GRANTED FROM THE FOLLOWING ARTICLES OF THE CITY OF PORTSMOUTH ZONING ORDINANCE ON APRIL 17, 2018:

- 1. SECTION 10.5A41.10A • TO ALLOW A PRINCIPAL FRONT YARD OF 76' ± WHERE 15' IS MAX ALLOWED;
- A RIGHT SIDE YARD OF 37'± WHERE A 5' MIN TO 20' MAX IS REQUIRED; • A FRONT LOT LINE BUILDOUT OF 50%± WHERE 60% MIN TO 80% MAX IS REQUIRED;
- A MIN GROUND STORY HEIGHT OF 10' WHERE 11' IS REQUIRED;
- 13% ± FAÇADE GLAZING WHERE 20% MIN TO 40% MAX IS REQUIRED; • A BUILDING FOOTPRINT OF 3,146 SF WHERE 2,500 IS REQUIRED; AND
- SECTION 10.5A4431 TO ALLOW OFF-STREET PARKING SPACES TO BE LOCATED LESS THAN 20' BEHIND THE FAÇADE OF A PRINCIPAL BUILDING.

DEMOLITION NOTES

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING AND DETERMINING THE LOCATIONS, SIZE AND ELEVATIONS OF ALL EXISTING UTILITIES, SHOWN OR NOT SHOWN ON THESE PLANS PRIOR TO THE START OF ANY DEMOLITION. THE LOCATIONS SHOWN ON THESE PLANS ARE NOT GUARANTEED BY THE OWNER OR THE ENGINEER. THE ENGINEER SHALL BE NOTIFIED IN WRITING OF ANY UTILITIES INTERFERING WITH THE PROPOSED DEMOLITION TO DETERMINE APPROPRIATE ACTION TO BE TAKEN BEFORE PROCEEDING WITH THE WORK. IT IS ALSO THE CONTRACTOR'S RESPONSIBILITY TO ANTICIPATE CONFLICTS AND REPAIR EXISTING UTILITIES AS NECESSARY TO COMPLETE THE WORK AT NO ADDITIONAL COST TO THE OWNER.





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					ΤA	AX M	AP 146 LOT	26		
						<u> (</u>	SITE PLAN			
OSED FOUN ON.	NDATIO	ION GREENGARD RESIDENCE						NCE		
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E REQUIREMENTS										
OF EXCAVA	TION.		2) SCALE: 1"=20' (2	2X 1¥1	34) 7)			MAY 8 2018		
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							Civil Engineers Structural Engineers	Portsmouth NH 03801		
							Traffic Engineers	Phone (603) 431-2222		
	, IPI	$\left \right $		R	М	SC	Land Surveyors Landscape Architects	Fax (603) 431-0910		
JRW	JPL			an of			Scientists	www.TFMoran.com		
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DR	CK		E				Site.awg			

EROSION CONTROL NOTES

- 1. SEE GENERAL EROSION CONTROL NOTES ON THE EROSION CONTROL DETAIL SHEET.
- 2. INSTALL SILT BARRIER ALONG THE PERIMETER OF THE AREA TO BE DISTURBED AS FIRST ORDER OF WORK.
- 3. DUST CONTROL SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD. IT SHALL BE ACCOMPLISHED BY THE UNIFORM APPLICATION OF CALCIUM CHLORIDE AT THE RATE OF 1-1/2 POUNDS PER SQUARE YARD BY MEANS OF A LIME SPREADER OR OTHER APPROVED METHOD. WATER MAY ALSO BE USED FOR DUST CONTROL, AND APPLIED BY SPRINKLING WITH WATER TRUCK DISTRIBUTORS, AS REQUIRED.
- 4. SILT PROTECTION MEASURES SHALL BE INSTALLED IN ACCORDANCE WITH THE DETAILS CONTAINED IN THIS PLAN SET.
- 5. CONSTRUCT JUTE MATTING ON ALL SLOPES STEEPER THAN 3:1, DISTURBED AREAS SLOPING TOWARDS WETLANDS AND ALL LOCATIONS SHOWN ON PLAN.
- 6. INSPECT EROSION CONTROL MEASURES WEEKLY AND AFTER EACH RAIN STORM OF 0.10 INCH OR GREATER. REPAIR/MODIFY SILT BARRIER AS NECESSARY TO MAXIMIZE FILTER EFFICIENCY. REMOVE SEDIMENT WHEN SEDIMENT IS 1/3 THE STRUCTURE
- 7. PROVIDE SILT BARRIERS AT THE BASE OF CUT AND FILL SLOPES UNTIL COMPLETION OF THE PROJECT OR UNTIL VEGETATION BECOMES ESTABLISHED ON SLOPES. EROSION PROTECTION BELOW FILL SLOPES SHALL BE PLACED IMMEDIATELY AFTER CLEARING, PRIOR TO EMBANKMENT CONSTRUCTION.
- 8. ALL DISTURBED AREAS SHALL BE REVEGETATED AS QUICKLY AS POSSIBLE. ALL CUT AND FILL SLOPES SHALL BE SEEDED WITHIN 72 HOURS AFTER GRADING.
- 9. ALL EXCAVATIONS SHALL BE THOROUGHLY SECURED ON A DAILY BASIS BY THE CONTRACTOR AT THE COMPLETION OF CONSTRUCTION OPERATIONS IN THE IMMEDIATE AREA AND PRIOR TO ANY PREDICTED SIGNIFICANT RAIN EVENT
- 10. AN AREA SHALL BE CONSIDERED STABLE IF ONE OF THE FOLLOWING HAS OCCURRED: A. BASE COURSE GRAVELS ARE INSTALLED IN AREAS TO BE PAVED B. A MINIMUM OF 85% VEGETATED GROWTH HAS BEEN ESTABLISHED
- C. A MINIMUM OF 3" OF NON-EROSIVE MATERIAL SUCH AS STONE OR RIP RAP HAS BEEN INSTALLED D. EROSION CONTROL BLANKETS HAVE BEEN PROPERLY INSTALLED
- OF ALL SEDIMENT AND DEBRIS AFTER ALL AREAS HAVE BEEN STABILIZED.

GRADING NOTES

- 1. ALL DISTURBED AREAS NOT TO BE PAVED OR OTHERWISE TREATED SHALL RECEIVE 6" LOAM, SEED, FERTILIZER AND MULCH. 2. <u>DENSITY REQUIREMENTS:</u>



- *ALL PERCENTAGES OF COMPACTION SHALL BE OF THE MAXIMUM DRY DENSITY AT THE OPTIMUM MOISTURE CONTENT AS DETERMINED AND CONTROLLED IN ACCORDANCE WITH ASTM D-1557, METHOD C. FIELD DENSITY TESTS SHALL BE MADE IN ACCORDANCE WITH ASTM D-1556 OR ASTM D-6938.
- 3. SEE EXISTING FEATURES PLAN FOR BENCHMARK INFORMATION. VERIFY TBM ELEVATIONS PRIOR TO CONSTRUCTION.
- 4. THE SITE SHALL BE GRADED SO ALL FINISHED PAVEMENT HAS POSITIVE DRAINAGE AND SHALL NOT POND WATER DEEPER THEN 1/4 INCH FOR A PERIOD OF MORE THEN 15 MINUTES AFTER FLOODING.
- 5. CONTRACTOR IS RESPONSIBLE FOR MAINTAINING SLOPE STABILITY DURING CONSTRUCTION.
- 6. NO FILL SHALL BE PLACED IN ANY WETLAND AREA.
- 7. ALL ELEVATIONS SHOWN AT CURB ARE TO THE BOTTOM OF CURB UNLESS OTHERWISE NOTED. CURBS HAVE A 6" REVEAL UNLESS OTHERWISE NOTED.
- 8. COORDINATE WITH ARCHITECTURAL PLANS FOR DETAILED GRADING AT BUILDING, AND SIZE AND LOCATION OF ALL BUILDING SERVICES.
- 9. LIMITS OF WORK ARE SHOWN AS APPROXIMATE. THE CONTRACTOR SHALL COORDINATE ALL WORK TO PROVIDE SMOOTH TRANSITIONS. THIS INCLUDES GRADING, PAVEMENT, CURBING, SIDEWALKS AND ALIGNMENTS.
- 10. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO CHECK THE ACCURACY OF THE TOPOGRAPHY AND REPORT ANY DISCREPANCIES TO THE ENGINEER PRIOR TO ANY EARTHWORK BEING PERFORMED ON THE SITE. NO CLAIM FOR EXTRA WORK WILL BE CONSIDERED FOR PAYMENT AFTER EARTHWORK HAS COMMENCED.





DRAINAGE NOTES

- 1. ALL STORM DRAIN LINES SHALL BE HIGH DENSITY POLYETHYLENE (HANCOR "HIQ", ADS "N-12", OR APPROVED EQUAL) UNLESS OTHERWISE NOTED FOR ROOF DRAINS & CANOPY LEADERS.
- 2. ALL CATCH BASINS, MANHOLES, AND DRAIN LINES SHALL BE THOROUGHLY CLEANED OF ALL SEDIMENT AND DEBRIS AFTER ALL AREAS HAVE BEEN STABILIZED.
- 3. ALL MATERIALS AND CONSTRUCTION SHALL CONFORM WITH APPLICABLE CITY/TOWN, COUNTY, AND STATE CODES.
- 4. LENGTH OF PIPE IS PROVIDED FOR CONVENIENCE ONLY. ACTUAL PIPE LENGTH SHALL BE DETERMINED IN THE FIELD.
- 5. COORDINATE ROOF AND CANOPY DRAINS WITH BUILDING PLANS.
- 6. ALL PROPOSED MANHOLES, CATCH BASINS AND OTHER STORMWATER STRUCTURES SHALL BE SUBJECT TO REVIEW AND APPROVAL UNDER SUBMITTAL REQUIREMENTS.
- 7. WHERE EXISTING MANHOLES AND CATCH BASINS ARE TO BE RETROFITTED TO ACCEPT NEW PIPES. CONTRACTOR SHALL MAKE ALL NEW PENETRATIONS WITH CONCRETE CORE. THE CONNECTION BETWEEN THE STRUCTURE AND PIPE SHALL BE MADE WATERTIGHT WITH NON-SHRINK GROUT. CONTRACTOR SHALL VERIFY SIZE OF STRUCTURE AND INVERT ELEVATIONS PRIOR TO COMPLETING WORK AND REPORT ANY DISCREPANCIES TO ENGINEER.
- 8. ROAD AND DRAINAGE CONSTRUCTION SHALL CONFORM TO THE TYPICAL SECTIONS AND DETAILS SHOWN ON THE PLANS, AND SHALL MEET LOCAL STANDARDS AND THE REQUIREMENTS OF THE LATEST NHDOT STANDARD SPECIFICATIONS FOR ROADS AND BRIDGE CONSTRUCTION AND THE NHOOT STANDARD STRUCTURE DRAWINGS UNLESS OTHERWISE NOTED.
- 9. STORM DRAINAGE SYSTEM SHALL BE CONSTRUCTED TO LINE AND GRADE AS SHOWN ON THE PLANS. CONSTRUCTION METHODS SHALL CONFORM TO NHDOT STANDARD SPECIFICATIONS. SECTION 603. CATCH BASINS AND DRAIN MANHOLES SHALL CONFORM TO SECTION 604. ALL CATCH BASIN GRATES SHALL BE TYPE B AND CONFORM TO NHOOT STANDARDS AND SPECIFICATIONS UNLESS OTHERWISE NOTED.
- 10. RAIN GARDENS ARE BEING USED AS LOW IMPACT DEVELOPMENT DESIGN.
- 11. THE PROPOSED DEVELOPMENT IS NOT WITHIN THE WELLHEAD PROTECTION OR AQUIFER PROTECTION ARFAS.

5	1/08/2020	Revise per FF change
4	08/01/18	No revisions this sheet.
3	07/10/18	Revised per regulatory comments.
?	06/19/18	Revised per regulatory comments.
1	05/21/18	Revised per regulatory comments.
EV.	DATE	DESCRIPTION

CONSTRUCTION SEQUENCE

TO MINIMIZE EROSION AND SEDIMENTATION DUE TO CONSTRUCTION, CONSTRUCTION SHALL FOLLOW THIS GENERAL CONSTRUCTION SEQUENCE. MODIFICATIONS TO THE SEQUENCE NECESSARY DUE TO THE CONTRACTOR'S SCHEDULE SHALL INCLUDE APPROPRIATE TEMPORARY AND PERMANENT EROSION AND SEDIMENTATION CONTROL MEASURES. THE CONTRACTOR SHALL SCHEDULE WORK SUCH THAT ANY CONSTRUCTION AREA IS STABILIZED WITHIN 45 DAYS OF INITIAL DISTURBANCE EXCEPT AS NOTED BELOW.

THE PROJECT SHALL BE MANAGED SO THAT IT MEETS THE REQUIREMENTS AND INTENT OF RSA 430:53 AND CHAPTER ARG 3800 RELATIVE TO INVASIVE SPECIES.

- 1. NOTIFY EASEMENT OWNERS PRIOR TO COMMENCEMENT OF WORK. 2. INSTALL ALL PERIMETER EROSION PROTECTION MEASURES AS INDICATED ON THE PLANS PRIOR
- TO THE COMMENCEMENT OF CONSTRUCTION.
- 3. PONDS AND SWALES SHALL BE INSTALLED.
- 4. DURING CONSTRUCTION EVERY EFFORT SHALL BE MADE TO MANAGE SURFACE RUNOFF QUALITY.
- 5. DAILY, OR AS REQUIRED, CONSTRUCT TEMPORARY BERMS, DRAINS, DITCHES, SILT BARRIERS, SEDIMENT TRAPS, ETC.. MULCH AND SEED AS REQUIRED (TEMPORARY SEED MIXTURE OF WINTER RYE APPLIED AT A RATE OF 2.5 LBS/1000 SF SHALL BE USED).
- 6. CONDUCT MAJOR EARTHWORK, INCLUDING CLEARING AND GRUBBING, WITHIN THE LIMITS OF WORK. ALL CUT AND FILL SLOPES SHALL BE SEEDED WITHIN 72 HOURS AFTER GRADING.
- 7. ALL STRIPPED TOPSOIL AND OTHER EARTH MATERIALS SHALL BE STOCKPILED OUTSIDE THE IMMEDIATE WORK AND WETLAND AREAS. A SILT BARRIER SHALL BE CONSTRUCTED AROUND THESE PILES IN A MANNER TO PROVIDE ACCESS AND AVOID SEDIMENT OUTSIDE OF THE WORK AREA.
- 8. CONSTRUCT BUILDING PAD AND COMMENCE NEW BUILDING CONSTRUCTION.
- 9. CONSTRUCT TEMPORARY CULVERTS AND DIVERSIONS AS REQUIRED.
- 10. BEGIN PERMANENT AND TEMPORARY INSTALLATION OF SEED AND MULCH.
- 11. PERFORM EARTHWORK NECESSARY TO ESTABLISH ROUGH GRADING AROUND PARKING FIELDS AND ACCESS DRIVES. MANAGE EXPOSED SOIL SURFACES TO AVOID TRANSPORTING SEDIMENTS INTO WETLANDS. PARKING LOTS SHALL BE STABILIZED WITHIN 72 HOURS OF ACHIEVING FINISHED
- 12. INSTALL SUBSURFACE UTILITIES (WATER, SEWER, GAS, ELECTRIC, COMMUNICATIONS, DRAINAGE, DRAINAGE FACILITIES, ETC.).
- 13. CONSTRUCT PROPOSED ROADWAY, RAIN GARDENS AND DRAINAGE SWALES. ALL DITCHES, SWALES, AND RAIN GARDENS SHALL BE FULLY STABILIZED PRIOR TO DIRECTING FLOW TO THEM.
- 14. COMPLETE BUILDING AND ALL OFF-SITE IMPROVEMENTS.
- 15. COMPLETE SEEDING AND MULCHING. SEED TO BE APPLIED WITH BROADCAST SPREADER OR BY HYDRO-SEEDING, THEN ROLLED, RAKED OR DRAGGED TO ASSURE SEED/SOIL CONTACT.
- 16. REMOVE TEMPORARY EROSION CONTROL MEASURES AFTER SEEDED AREAS HAVE BECOME FIRMLY ESTABLISHED AND SITE IMPROVEMENTS ARE COMPLETE.
- 17. DURING THE COURSE OF THE WORK AND UPON COMPLETION, THE CONTRACTOR SHALL REMOVE ALL SEDIMENT DEPOSITS, EITHER ON OR OFF SITE, INCLUDING CATCH BASINS AND SUMPS, DRAIN PIPES AND DITCHES, CURB LINES, ALONG SILT BARRIERS, ETC. RESULTING FROM SOIL AND/OR CONSTRUCTION OPERATIONS.
- 18. SEE WINTER CONSTRUCTION SEQUENCE FOR WORK CONDUCTED AFTER OCTOBER 15TH.
- 19. DO NOT DISCHARGE SEDIMENT-LADEN WATERS FROM CONSTRUCTION ACTIVITIES (RUNOFF, WATER FROM EXCAVATIONS) TO THE RAIN GARDEN BASINS.
- 20. AFTER THE BASIN IS EXCAVATED TO THE FINAL DESIGN ELEVATION, THE FLOOR SHOULD BE DEEPLY TILLED WITH A ROTARY TILLER OR DISC HARROW TO RESTORE INFILTRATION RATES, FOLLOWED BY A PASS WITH A LEVELING DRAG.
- 21. DO NOT PLACE INFILTRATION SYSTEMS INTO SERVICE UNTIL THE CONTRIBUTING AREAS HAVE BEEN FULLY STABILIZED.
- 22. THE ENTIRE UNDERGROUND DRAINAGE SYSTEM FROM THE POTENTIAL SUMP PUMP, OUTLET STRUCTURE, 2 DRAIN MANHOLES, CONNECTION TO THE EXISTING MANHOLE, AND ALL ASSOCIATED DRAIN LINES SHALL BE REVIEWED IN THE FIELD WITH THE DESIGN ENGINEER AND DPW AT THE TIME OF CONSTRUCTION TO DETERMINE IF THE UNDERGROUND DRAINAGE SYSTEM IS REQUIRED.









KEYNOTE LEGEND NINTED AZEK HEAD CASING WITH AZM-217 BAND MOULDING, 5/4X4 AZEK SIZE CASING AND 2" AZEK SEE SPECS. TYP. WHERE SHOWN	Revisions: # Description Date
IING. DEDUCT ALTERNATE TO DELETE FROM SCOPE ND ARCHITECT MINIMUM 1/4/FT FOR 3' MINIMUM - SEE CIVIL DRAWINGS FOR GRADING AND MATERIAL INFORMATION	
SECOND FLOOR PLAN 109-8"	DESTEFANO DESTEFANO ARCHITECTS 23 High Street Portsmouth NH, 03801 PH: 603.431.8701 FAX: 603.422.8707 www.destefanoarchitects.com
$WEST ELEVATION I/4'' = I' \cdot O'' ENTRY CONSTRUCTION NOTES I = ETERRIC REAL CONSTRUCTION NOTES I = REFER TO AO.01 FOR WALL TYPE ASSEMBLIES I = I' \cdot O'' (2) I = I' \cdot O'' I = I' \cdot O'' \cdot O'$	NEW CONSTRUCTION FOR GREENGARD RESIDENCE 89 BREWERY LANE, PORTSMOUTH, NH
 AND DETAILS. 7. DIMENSIONS ARE AS FOLLOWS UNLESS NOTED OTHERWISE: NOTIFY ARCHITECT WITH ANY DISCREPANCIES OR TO REQUEST CLARIFICATION: a. TO FACE OF FRAMING/ FOUNDATION AT EXTERIOR AND INTERIOR b. TO CENTERLINE OF COLUMNS, DOORS AND WINDOWS c. TO TOP OF UL ASSEMBLY FINISHED FLOOR d. TO TOP OF SUBFLOOR AT SLAB CONDITIONS e. TO BOTTOM OF FINISHED CEILING f. TO OUTSIDE FACE OF FRAMING FOR FLOORS BELOW g. TO DRIP EDGE FOR ROOF LINES 8. ALL WOOD ELEMENTS IMMEDIATELY ADJACENT TO MASONRY OR CONCRETE TO BE PROTECTED OR PRESSURE TREATED. 9. PROVIDE BLOCKING AS REQUIRED FOR ALL ADA ITEMS, SHELVING, CABINETRY, ACCESSORIES ETC. 	Title: BUILDING ELEVATIONS
AN 8"	Scale: 1/4" = 1'-0" Drawn By: DS, AM Checked By: JM Project No.: 201701 Date: JUNE 15, 2018
	NOT FOR TION
$\frac{\text{SOUTH ELEVATION}}{ /4" = '-0"} (1)$	A2.00







	GENERAL CONSTRUCTION NOTES	Revisions:
TYP. ROM ADJACENT WALLS DVER OPENINGS WITH MANUFACTURER'S R AND ARCHITECT	 REFER TO AO.O I FOR WALL TYPE ASSEMBLIES ALL EXTERIOR WALLS TO BE TYPE "A I ", U.O.N. ALL INTERIOR WALLS TO BE TYPE "B I ", U.O.N. REFER TO APPROVED CIVIL DRAWINGS FOR LOCATION, PROPOSED SITEWORK & EXTERIOR GRADE ELEVATIONS. ELEVATIONS NOTED ARE ARCHITECTURAL AND PROVIDED FOR RELATIVE DIMENSIONING, COORDINATE WITH CIVIL ENGINEER. REFER TO STRUCTURAL DRAWINGS FOR FOUNDATION, SLAB, FRAMING INFORMATION, PLATE HEIGHTS, CONNECTIONS AND DETAILS. DIMENSIONS ARE AS FOLLOWS UNLESS NOTED OTHERWISE: NOTIFY ARCHITECT WITH ANY DISCREPANCIES OR TO REQUEST CLARIFICATION: TO FACE OF FRAMING/ FOUNDATION AT EXTERIOR AND INTERIOR TO CENTERLINE OF COLUMNS, DOORS AND WINDOWS TO TOP OF UL ASSEMBLY FINISHED FLOOR TO ODTOM OF FINISHED CEILING TO OUTSIDE FACE OF FRAMING FOR FLOORS BELOW TO DRIPE DEGE FOR ROOF LINES ALL WOOD ELEMENTS IMMEDIATELY ADJACENT TO MASONRY OR CONCRETE TO BE PROTECTED OR PRESSURE TREATED. PROVIDE BLOCKING AS REQUIRED FOR ALL ADA ITEMS, SHELVING, CABINETRY, ACCESSORIES ETC. 	# Description Date
		DESTEFANO DESTEFANO ARCHITECTS 23 High Street Portsmouth NH, 0380 I PH: 603.431.870 I FAX: 603.422.8707 www.destefanoarchitects.com
		NEW CONSTRUCTION FOR GREENGARD RESIDENCE 89 BREWERY LANE, PORTSMOUTH, NH
		Title: SECOND FLOOR PLAN Scale: 1/4" = 1'-0" Drawn By: DS, AM Checked By: JM Project No.: 201701
<u>COND FLOO</u> 1/4'	$\frac{R PLAN}{V} \underbrace{1}_{V} \underbrace{1}_{$	Date: JUNE 15, 2018

89 Brewery Lane in Context



Map Theme Legends



City of Portsmouth

