

HOEFLE, PHOENIX, GORMLEY & ROBERTS, PLLC

ATTORNEYS AT LAW

127 Parrott Avenue | Portsmouth, NH, 03801
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March 3, 2025

HAND DELIVERED

Stephanie Casella, Planner
Portsmouth City Hall
1 Junkins Avenue
Portsmouth, NH 03801

Re: Harborside Property Management, LLC
92 Brewster Street, Tax Map 138, Lot 54
General Residence C Zone

Dear Ms. Casella & Zoning Board Members:

On behalf of Harborside Property Management, LLC ("Harborside" or "Applicant"), enclosed please find the following in support of an application for zoning relief.

- Digital application package uploaded to Viewpoint.
- Owner's Authorization.
- 2/28/2025 – **REVISED** Memorandum and Exhibits in support of Variance Application.

We look forward to presenting this application to the Zoning Board at its March 18, 2025 meeting.

Very truly yours,



R. Timothy Phoenix
Monica F. Kieser

Enclosure

cc: George Hails
Ross Engineering, LLC
Art Form Architecture

DANIEL C. HOEFLE	ALEC L. MCEACHERN	PETER V. DOYLE	STEPHEN H. ROBERTS 2007-2023
R. TIMOTHY PHOENIX	KEVIN M. BAUM	MONICA F. KIESER	OF COUNSEL:
LAWRENCE B. GORMLEY	JACOB J.B. MARVELLEY	STEPHANIE J. JOHNSON	SAMUEL R. REID
R. PETER TAYLOR	GREGORY D. ROBBINS	KAREN W. OLIVER	JOHN AHLGREN

OWNER'S AUTHORIZATION

I, George Hails, manager of Harborside Property Management, L.L.C, Owner/Applicant of 92 Brewster Street, Tax Map 138/Lot 54, hereby authorize law firm Hoefle, Phoenix, Gormley & Roberts, PLLC to represent me before any and all City of Portsmouth Representatives, Boards and Commissions for permitting the project.

Respectfully submitted,

Harborside Property Management, L.L.C.

Date: 2/28/24 George Hails, Manager

A handwritten signature in black ink, appearing to read "George Hails", is written over a horizontal line.

MEMORANDUM

TO: Portsmouth Zoning Board of Adjustment (“ZBA”)
FROM: R. Timothy Phoenix, Esquire
Monica F. Kieser, Esquire
DATE: February 19, 2025 (revised 2/28/2025)
RE: Harborside Property Management, LLC
92 Brewster Street, Tax Map 138, Lot 54
General Residence C Zone

Dear Chair Eldredge and Zoning Board Members:

On behalf of Harborside Property Management, LLC through its Manager George Hails (“Hails”), we are pleased to submit this memorandum and attached exhibits in support of Hails’ request for zoning relief for consideration by the Zoning Board of Adjustment (“ZBA”) at its March 18, 2025 meeting.

I. EXHIBITS

- A. Deeds.
- B. Sanborn Fire Insurance Map 1920.
- C. Plan of 92 & 96 Brewster Street by John Durgin August, 1940.
- D. Plan Set – issued by Ross Engineering, LLC.
- E. Architectural Plan Set – Art Form Architecture.
- F. Site Photographs.
 - a. Satellite View
 - b. Street View
- G. Tax Map 138.

II. PROPERTY/PROJECT

92 Brewster Street is comprised of two historic lots since merged to a 2,884 square foot property with 52.33 feet of frontage with a curb cut width of 31.8 feet (“the Property”). The Property contains a truly tiny, dated, one-bedroom home occupying a footprint of 334 square feet plus a 90 square feet porch. The home is tucked into the northwest corner less than a foot from the north side lot line and 2.7 feet from the rear lot line, while the balance of the lot is used for parking. The south side of the Property is burdened by a 6 foot wide right-of-way favoring lot 52.

Hails plans to remove the nonconforming home in favor of a newly constructed single-family home with incorporated one-car garage and ADU (“the Project”). The Project sites the home in a more conforming location, respects the easement, shrinks the curb cut, and

accommodates three off-street parking spaces. The Project meets building coverage limits and provides more than twice the minimum required open space. Relief is nonetheless required from yard requirements and, because the existing home is removed, staff has opined that the Project also needs relief for lot area, frontage, and lot area/dwelling until requirement.

III. PURSUANT TO PORTSMOUTH ZONING ORDINANCE §10.311 AND §10.321, THE PROPOSED PROJECT REQUIRES NO VARIANCE FOR LOT SIZE & FRONTAGE

We disagree that relief from lot size and frontage should be required to reestablish a permitted single-family use on an existing lot with a single-family home.

Mary Caswell acquired an irregular shaped lot and building from the Mitrook family in 1949. The lot had 20 feet of frontage on Brewster Street. In 1964, Caswell then acquired a second lot with 37 feet of frontage on Brewster from Mary Herlihy. **(Exhibit E)**. The two lots, combined totaling 2,884 square feet, have been conveyed together since 1964 and have been treated by the City as one parcel for decades.

PZO §10.311 provides:

Any lot that has less than the minimum lot area or street frontage required by this ordinance shall be considered to be nonconforming and no use or structure shall be established on such lot unless the Board of Adjustment has granted a variance from the applicable requirements of this ordinance. (Emphasis added)

At the outset, from its plain wording, this section establishes that if a lot is nonconforming, it is permissible as a building lot without a variance for the nonconforming lot size provided variances for the use or structure are obtained. To determine otherwise would render the underlined language “applicable requirements of this ordinance” meaningless, contrary to general principles of statutory interpretation. Here, the residential use pre-dates zoning and is not changing. Additionally, the Project proposed does seek the necessary relief from rear and side yard requirements to accommodate the proposed structure.

The above interpretation is further buttressed by §10.320 Nonconforming Buildings and Structures, specifically §10.321, which provides:

A lawful nonconforming building or structure may continue and be maintained or repaired, but may not be extended, reconstructed or enlarged unless such extension, reconstruction or enlargement conforms to all the regulations of the district in which it is located.

In the instant case, we have a presently nonconforming building which will be removed and reconstructed with a new building. The new home will more nearly conform with the Ordinance requirements and, with the requested relief for yard setbacks, meets §10.321.

Lastly, RSA 674:19 provides that

an ordinance....shall not apply to existing structures or to the existing use of any building. It shall apply to any alteration of a building for use for a purpose or in a manner which is substantially different from the use to which it was put before alteration.

Coupled with the language of §10.311 and §10.321 above, it is clear that a lot established with a residential use before zoning may continue to support structures as long as those structures comply with §10.321, receive a variance pursuant to section §10.311 and are not put to a substantially different use.

In an abundance of caution, Smith requests all variances below.¹

IV. **RELIEF REQUIRED:**

<u>Ordinance Section</u>	<u>Required</u>	<u>Existing</u>	<u>Proposed</u>
<u>PZO Table §10.521</u> <u>Dimensional Standards</u>			
• Lot Area	3,500 s.f.	2,884 s.f.	2,884 s.f.
• Frontage	70 ft.	52.33'	52.33'
• Lot Area/Dwelling Unit	3,500 s.f./dwelling unit	2,884 s.f./dwelling unit	2,884 s.f./dwelling unit ²
• Side Yard	10' side yard	0.9' overhang/2.7' wall	9.4'/9.7 overhang
• Rear Yard	20' rear yard	2.7' overhang/3.2' wall	9.3' overhang/10.3 wall

V. **OTHER PERMITS REQUIRED**

- Building Permit
- DPW Approval of driveway

¹ If the variance is granted, this argument will be withdrawn upon expiration of the 30 days appeal period.

² Accessory Dwelling Unit does not require additional relief from frontage, lot area, or lot area/dwelling unit than a single-family home in the same zone.

VI. VARIANCE REQUIREMENTS

1. The variances will not be contrary to the public interest.
2. The spirit of the ordinance is observed.

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 Malachy Glen Associates, Inc. v. Town of Chichester, 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." Id. "Mere conflict with the zoning ordinance is not enough." Id.

The Portsmouth Zoning Ordinance (PZO§10.121) was enacted for the general purpose of promoting the health, safety, and welfare in accordance with the Master plan by regulating:

1. The use of land, buildings and structures for business, industrial, residential and other purposes – The Project establishes a permitted use on an undersized lot of record.
2. The intensity of land use, including lot sizes, building coverage, building height and bulk, yards and open space – A substandard tiny home is replaced with a modern single-family home compliant with height and building coverage limits and affords double the minimum required open space.
3. The design of facilities for vehicular access, circulation, parking and loading – The Project provides three compliant parking spaces. One in the garage and two tandem spots next to the home.
4. The impacts on properties of outdoor lighting, noise, vibration, stormwater runoff and flooding – The uses proposed are permitted and compatible with the neighborhood. The Project does not undermine these purposes.
5. The preservation and enhancement of the visual environment – The Project replaces a dated home with a new code-compliant home similar to other redevelopment/improvement in the neighborhood.
6. The preservation of historic districts buildings and structures of historic or architectural interest – The Property and the existing structure to be removed is not in the historic district and is of no known historic or architectural interest.
7. The protection of natural resources, including groundwater, surface water, wetlands, wildlife habitat and air quality – The property will be served by municipal water and sewer. There are no wetlands in the area, accordingly these purposes are served by granting the variances.

Variances are required because the Property is small and narrow. The permitted single-family home proposed complies with building coverage and height restrictions while maintaining generous open space and improving the rear and north side yard setback. Relief is only required to establish the use on a nonconforming lot of record and to permit the home in the rear yard

setback and very slightly in the north side yard setback. Granting the variances on these facts does not “in a marked degree conflict with the ordinance such that it violates the ordinance’s basic zoning objectives.” Malachy Glen, supra, which also held:

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

The Project is compatible with the density of the other lots in the area and reestablishes the same single-family use on a nonconforming lot of record while beautifying the lot, improving side and rear yard setbacks and accommodating required parking. Accordingly, granting the addition will neither “alter the essential character of the locality nor threaten the public health, safety or welfare.”

3. Substantial justice will be done by granting the variance.

If “there is no benefit to the public that would outweigh the hardship to the applicant” this factor is satisfied. Harborside Associates, L.P. v. Parade Residence Hotel, L.L.C., 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.” Malachy Glen, supra at 109.

Hails is constitutionally entitled to the use of the lot as he sees fit; including redevelopment for a permitted single-family home with an incorporated garage and ADU subject only to the effect of the home on the dimensional requirements. “The right to use and enjoy one's property is a fundamental right protected by both the State and Federal Constitutions.” N.H. CONST. pt. I, arts. 2, 12; U.S. CONST. amends. V, XIV; Town of Chesterfield v. Brooks, 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. L. Grossman & Sons, Inc. v. Town of Gilford, 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. Burrows v. City of Keene, 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. Simplex Technologies, Inc. v. Town of Newington, 145 N.H. 727, 731 (2001); Chesterfield at 69.

Granting the requested variance allows for tasteful redevelopment of a dated, tiny, single-family home on an existing 2,884 square foot lot of record in a manner consistent with the lot sizes in the surrounding area. There is absolutely no harm to any neighbor or the general public from granting variances. It follows that there is no benefit to the public from denial. Conversely, Hails will be greatly harmed by denial as he will lose the opportunity to reasonably redevelop the Property with permitted use significantly improving existing conditions. Accordingly, there is no benefit to the public from granting the variance that outweighs the harm to the owner from denial.

4. Granting the variance will not diminish surrounding property values.

The Project improves Property with a new code-compliant single-family home with incorporated ADU accommodating all required parking. The redevelopment is consistent with the density and yard setbacks of the surrounding area. Under these circumstances, granting variances will not diminish surrounding property values.

5. Denial of the variances results in an unnecessary hardship.

a. Special conditions distinguish the property from others in the area.

The Property is small, shallow, narrow, and encumbered by an access easement in favor of the rear abutter. The Property also exists in a densely developed area of the City with numerous other nonconforming lots developed with single family homes or duplexes located in rear or side yard setbacks. The Property's size, width, easement, and location among other densely developed residential parcels combine to create special conditions.

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

Density requirements and yard requirements exist to prevent overcrowding and to ensure adequate air, light, space, and separation between neighbors. The Project replaces a dated tiny home with a modern, permitted single-family home with ADU, accommodating required off

street parking. The density and yard setback relief required is consistent with the surrounding area. Accordingly, the purposes of these regulations are met and there is no reason to apply the strict density requirements of the zoning ordinance.

c. The proposed use is reasonable.

If the use is permitted, it is deemed reasonable. Vigeant v. Hudson, 151 N.H. 747 (2005). The Project proposes a modern single-family home with incorporated ADU and garage on a nonconforming lot of record while providing three off-street parking spaces. Accordingly, the use is reasonable.

VII. CONCLUSION

For all of the reasons stated, Hails respectfully requests that the Portsmouth Zoning Board of Adjustment grant the requested relief.

Respectfully submitted,
**George Hails &
Harborside Property Management, LLC**



By: R. Timothy Phoenix
Monica F. Kieser

Return to:



LCHIP	ROA477236	25.00
TRANSFER TAX	RO094070	5,985.00
RECORDING		14.00
SURCHARGE		2.00

EXHIBIT A

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS: That James S. Remick, as Successor Trustee of the Linette S. Remick Revocable Trust of 2000, u/d/t dated June 15, 2000, as amended, with a mailing address of 326 Brackett Road, Rye, New Hampshire 03870 and James S. Remick, as Trustee of the James S. Remick Revocable Trust of 2000, u/d/t dated June 15, 2000, as amended, with a mailing address of 326 Brackett Road, Rye, New Hampshire 03870, for consideration paid grants to Harborside Property Management, LLC, a New Hampshire limited liability company having a mailing address of 1636 Seabreeze Drive, Tarpon Springs, Florida 34689 with WARRANTY COVENANTS:

The land and building located at 92 Brewster Street, Portsmouth, New Hampshire shown as Parcel 1 and Parcel 2 on a plan of land entitled "Boundary Survey for 92 & 96 Brewster St., Portsmouth, NH 03801" drawn by Ross Engineering & Surveying, dated December 2, 2019, Scale: 1" = 10', recorded as Plan No. D-41920, on December 20, 2019, with the Rockingham County Registry of Deeds, (the "Plan") being more particularly described as follows:

Parcel 1

The land beginning at the northwesterly corner of Parcel 1 shown on the Plan, thence running N 73° 13' 02" E a distance of 13.00 feet to a point along the northerly boundary of Parcel 1; thence running S 85° 44' 58" W a distance of 8.60 feet to a point; thence running S 16° 46' 58" E a distance of 5.00 feet to a point; thence turning and running N 73° 12' 58" E a distance of 31.74 feet to a point at the northeasterly corner of Parcel 1; thence turning and running S 17° 40' 25" E a distance of 20.00 feet to a point at the southeasterly corner of Parcel 1; thence turning and running S 73° 19' 30" W a distance of 52.28 feet to a point at the southeasterly corner of Parcel 1; thence turning and running N 18° 31' 02" W a distance of 28.00 feet to the point of beginning. Parcel 1 containing 1,202 square feet according to the Plan.

Parcel 2

The land beginning at the southwesterly corner of Parcel 2 shown on the Plan; thence running N 73° 19' 30" E a distance of 51.76 to a point at the southeasterly corner of Parcel 2; thence turning and running N 17° 40' 25" W a distance of 32.33 feet to a point at the northeasterly corner of Parcel 2; thence turning and running S 73° 19' 30" W a distance of 52.28 feet to a point at the northwesterly corner of Parcel 2; thence turning and running S 18° 35' 52"

E a distance of 32.35 feet to the point of beginning. Parcel 2 containing 1,682 square feet according to the Plan.

Meaning and intending to describe and convey the portion of premises conveyed to Linette S. Remick, Trustee of the Linette S. Remick Revocable Trust of 2000 by Deed dated June 28, 2001, recorded with Rockingham County Registry of Deeds at Book 3610, Page 2895.

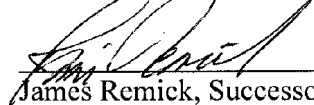
TRUSTEE'S CERTIFICATION:

I, James Remick, Successor Trustee of the Linette S. Remick Revocable Trust of 2000, created by Linette S. Remick, under trust agreement dated June 15, 2000, as amended and as Trustee of the James S. Remick Revocable Trust of 2000, created by James S. Remick, under trust agreement dated June 15, 2000 am the sole Trustee of said trust and have full and absolute power under said trust agreement to convey any interest in real estate and improvements thereon held in said trust and no purchaser or third party shall be bound to inquire whether the Trustee has said power or is properly exercising said power or to see to the application of any trust asset paid to the trustee for a conveyance thereof.

This is not homestead property.

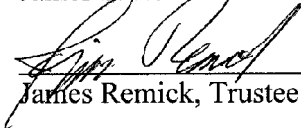
Executed this 30 day of December, 2019.

Linette S. Remick Revocable Trust of 2000



James Remick, Successor Trustee

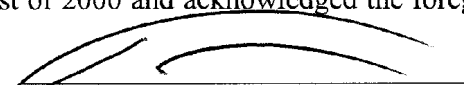
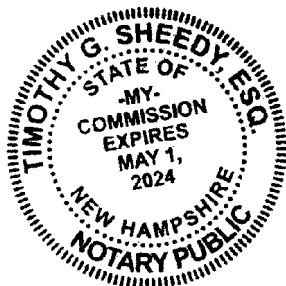
James S. Remick Revocable Trust of 2000



James Remick, Trustee

State of New Hampshire
County of Rockingham

Then personally appeared before me on this 30 day of December, 2019, the said James Remick, Successor Trustee of the Linette S. Remick Revocable Trust of 2000 and in his capacity as Trustee of the James S. Remick Revocable Trust of 2000 and acknowledged the foregoing to be his voluntary act and deed.


Notary Public

Commission expiration:

049844

QUITCLAIM DEED

I, Linette S. Remick of 326 Brackett Road, Rye, Rockingham County, New Hampshire for consideration paid, grant to Linette S. Remick, Trustee of the Linette S. Remick Revocable Trust of 2000, a revocable trust, of 326 Brackett Road, Rye, Rockingham County, New Hampshire

with Quitclaim Covenants

all my right, title and interest, being an undivided 90% interest, in the following described real estate in Portsmouth, County of Rockingham and State of New Hampshire and being more particularly bounded and described as follows:
Two parcels of land each situated in Portsmouth, County of Rockingham, and State of New Hampshire, bounded and described as follows:

Parcel 1: A certain lot or parcel of land, with the buildings thereon, lying, situated and being in the City of Portsmouth, in the County of Rockingham and the State of New Hampshire, on the westerly side of the public highway now known as Brewster Street, being now numbered 92 thereon, bounded and described as follows:

Beginning in the westerly sideline of said Brewster Street at land now or formerly of Mary Herlihy, and thence running by said Herlihy land S 67° 15' W, 50.2 feet, at land now or formerly of Frank Arric; thence turning and running by said Arric land N 24° 41' W, 28 feet to land now or formerly of the heirs of Kateny Mitrook; thence turning and running by said last named land N 67° 07' E, 13 feet; thence N 88° 09' E, 8.6 feet; thence S 22° 53' E, 5 feet; thence N 67° 07' E, 30 feet to said Brewster Street, thence turning and running S 22° 53' E by said Brewster Street, 20 feet to the point of beginning.

Parcel 2: A certain lot of land in Portsmouth, County of Rockingham, and State of New Hampshire, lying on the westerly side of Brewster Street, bounded and described as follows:

Easterly by said Brewster Street, 37 feet, 10 inches, more or less; northerly by land now or formerly of Mary E. Caswell, 50 feet, more or less; westerly by land now or formerly of Angelina Arric, 37 feet, 10 inches, more or less; southerly by a common passageway in common with the occupants of the lot next south of the same.

Being a portion of the same premises conveyed to the Grantor and James S. Remick by deed from Jonathan Kilroy dated July 17, 1985 recorded in Rockingham County Registry of Deeds Book 2558 Page 2349.

2001 JUL 11 AM 11:41

ROCKINGHAM COUNTY
REGISTRY OF DEEDS

Also being a portion of the same premises conveyed by James S. Remick to the Grantor by deed to be recorded herewith in Rockingham County Registry of Deeds.

The premises hereby conveyed are not homestead property.

Signed this 28th day of June, 2001.


Linette S. Remick

State of New Hampshire
Rockingham, SS

June 28, 2001

Personally appeared the above named Linette S. Remick, known to me or satisfactorily proven to be the person whose name is subscribed to the foregoing instrument and acknowledged that she executed the same for the purposes therein contained.


Notary Public/Justice of the Peace
Conn E



#2558 P2349

KNOW ALL MEN BY THESE PRESENTS, That Jonathan Kilroy, sometimes also called Jonathon Kilroy, of 126 Atlantic Avenue, North Hampton, County of Rockingham and State of New Hampshire,

for consideration paid, grants to James S. Remick and Linette S. Remick, husband and wife, of 326 Brackett Road, Rye, County of Rockingham, New Hampshire, as joint tenants with right of survivorship.

with warranty covenants

Two parcels of land, each situated in Portsmouth, County of Rockingham, and State of New Hampshire, bounded and described as follows:

PARCEL 1: A certain lot or parcel of land, with the buildings thereon, lying, situated and being in the City of Portsmouth, in the County of Rockingham and the State of New Hampshire, on the westerly side of the public highway now known as Brewster Street, being now numbered 92 thereon, bounded and described as follows:

Beginning in the westerly sideline of said Brewster Street at land now or formerly of Mary Herlihy, and thence running by said Herlihy land S 67° 15' W, 50.2 feet, at land now or formerly of Frank Arric; thence turning and running by said Arric land N 24° 41' W, 28 feet to land now or formerly of the heirs of Kateny Mitrook; thence turning and running by said last named land N 67° 07' E, 13 feet; thence N 88° 09' E, 8.6 feet; thence S 22° 53' E, 5 feet; thence N 67° 07' E, 30 feet to said Brewster Street, thence turning and running S 22° 53' E by said Brewster Street, 20 feet to the point of beginning.

For title reference see Deed of Russell Mitrook to Mary Elizabeth Caswell, dated July 8, 1949 and recorded in the Rockingham County Registry of Deeds at Book 1135, Page 38.

PARCEL 2: A certain lot of land in Portsmouth, County of Rockingham, and State of New Hampshire, lying on the westerly side of Brewster Street, bounded and described as follows:

Easterly by said Brewster Street, 37 feet, 10 inches, more or less; northerly by land now or formerly of Mary E. Caswell, 50 feet, more or less; westerly by land now or formerly of Angelina Arric, 37 feet, 10 inches, more or less; southerly by a common passageway in common with the occupants of the lot next south of the same.

For title reference see Deed of Mary Herlihy to Mary E. Caswell, dated May 21, 1964 and recorded in the Rockingham County Registry of Deeds at Book 1716, Page 189.

Meaning and intending to convey the same premises conveyed to the grantor herein by deed of Gail M. Seagren, dated April 18, 1985 and recorded in the Rockingham County Registry of Deeds at Book 2541, Page 1443.

This is not homestead property.

37990

AUG 16 3 50 PM '85

Rockingham County
Registry of Deeds

W2558 P2350



Grantor is a single person *JK*. */ s/ Jonathan Kilroy, sometimes also called Jonathon Kilroy*
Witness

Signed this 17th day of July, 1985

J. J. Conway
Witness

Jonathan Kilroy
Jonathan Kilroy, sometimes also
called Jonathon Kilroy L.S.
L.S.

State of New Hampshire
Shockinghamss.

July 17 A.D. 1985

Personally appeared Jonathan Kilroy, sometimes also called
Jonathon Kilroy
known to me, or satisfactorily proven, to be the person
whose name
subscribed to the foregoing instrument and acknowledged that
he executed the same
for the purposes therein contained.

Before me,
Justice of the Peace - Notary Public

KNOW ALL MEN BY THESE PRESENTS, That Gail M. Seagren, of Campbell's Lane, New Castle, County of Rockingham, and State of New Hampshire

for consideration paid, grant s to Jonathon Kilroy, of 126 Atlantic Avenue, North Hampton, County of Rockingham, and State of New Hampshire,

with warranty covenants

Two parcels of land, each situated in Portsmouth, County of Rockingham, and State of New Hampshire, bounded and described as follows:

PARCEL 1: A certain lot or parcel of land, with the buildings thereon, lying, situate and being in the City of Portsmouth, in the County of Rockingham and the State of New Hampshire, on the westerly side of the public highway now known as Brewster Street, being now numbered 92 thereon, bounded and described as follows:

Beginning in the westerly sideline of said Brewster Street at land now or formerly of Mary Herlihy, and thence running by said Herlihy land S 67° 15' W, 50.2 feet, at land now or formerly of Frank Arric; thence turning and running by said Arric land N 24° 41' W, 28 feet to land now or formerly of the heirs of Kateny Mitrook; thence turning and running by said last named land N 67° 07' E, 13 feet; thence N 88° 09' E, 8.6 feet; thence S 22° 53' E, 5 feet; thence N 67° 07' E, 30 feet to said Brewster Street; thence turning and running S 22° 53' E, by said Brewster Street, 20 feet to the point of beginning.

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For title reference see Deed of Mary Herlihy to Mary E. Caswell, dated May 21, 1964 and recorded in the Rockingham County Registry of Deeds at Book 1716, Page 189.

Meaning and intending to convey the same premises conveyed to the grantor herein by deed of Mary E. Caswell, dated May 25, 1978 and recorded in the Rockingham County Registry of Deeds at Book 2311, Page 1886.

This is not homestead property.

15014
Apr 18 1 19 PM '85
Rockingham County
Registry of Deeds

said grantee, husband, wife of said grantor, release to
all rights of homestead and other interests therein. BX2541 P1444

Signed this 18th day of April, 1985



Gail M. Seagren L.S.

L.S.

State of New Hampshire
ROCKINGHAM ss.

April 18, A.D. 1985

Personally appeared Gail M. Seagren

known to me, or satisfactorily proven, to be the person whose name is
subscribed to the foregoing instrument and acknowledged that s/he executed the same
for the purposes therein contained.

Before me,

John P. M. 1/
Justice of the Peace - Notary Public

13626
MAY 25 4:06 PM
REC'D ROCKINGHAM COUNTY
REGISTRY OF DEEDS

KNOW ALL MEN BY THESE PRESENTS, That I, MARY E. CASWELL of 92 Brewster Street,
Portsmouth, County of Rockingham and State of New Hampshire, A Single Woman,
2311-1886

for consideration paid, grant to GAIL M. SEAGREN of Campbell's Lane, New Castle,
County of Rockingham and State of New Hampshire,

with ~~warranty~~ covenants to the said Gail M. Seagren, the following described real
estate:

Two parcels of land, each situated in Portsmouth, County of Rockingham and
State of New Hampshire, bounded and described as follows:

PARCEL I: A certain lot or parcel of land, with the buildings thereon, lying, sit-
uate and being in the City of Portsmouth, in the County of Rockingham and the State
of New Hampshire, on the westerly side of the public highway now known as Brew-
ster Street, being now numbered 92 thereon, bounded and described as follows:

Beginning in the westerly sideline of said Brewster Street at land now or formerly
of Mary Herlihy, and thence running by said Herlihy land S 67°15'W, 50.2 feet to
land now or formerly of Frank Arric; thence turning and running by said Arric land
N 24°41'W, 28 feet to land now or formerly of the heirs of Kateny Mitrook; thence
turning and running by said last named land N 67°07'E, 13 feet; thence N 88°09'E,
8.6 feet; thence S 22°53'E, 5 feet; thence N 67°07'E, 30 feet to said Brewster Street;
thence turning and running S 22°53'E by said Brewster Street, 20 feet to the point of
beginning.

For title reference see Deed of Russell Mitrook to Mary Elizabeth Caswell, dated
July 8, 1949 and recorded in the Rockingham County Registry of Deeds at Book 1135,
Page 38.

PARCEL II: A certain lot of land in Portsmouth, County of Rockingham and State
of New Hampshire, lying on the westerly side of Brewster Street, bounded and de-
scribed as follows:

Easterly by said Brewster Street, 37 feet, 10 inches, more or less; northerly by
land now or formerly of Mary E. Caswell, 50 feet, more or less; westerly by land now
or formerly of Angelina Arric, 37 feet, 10 inches, more or less; southerly by a common
passageway in common with the occupants of the lot next south of the same.

For title reference see Deed of Mary Herlihy to Mary E. Caswell, dated May 21,
1964 and recorded in the Rockingham County Registry of Deeds at Book 1716, Page 189.



~~scribes and acknowledges the foregoing instrument and the contents thereof~~

Witness My hand and seal this 25th day of May, 1978

[Signature]

Mary E. Caswell
MARY E. CASWELL

L.S.

L.S.

State of New Hampshire

ROCKINGHAM ss.

May 25th D. 1978

Personally appeared Mary E. Caswell

known to me, or satisfactorily proven, to be the person whose name is
subscribed to the foregoing instrument and acknowledged that she executed the same
for the purposes therein contained.

Before me,

[Signature]

Know all Men by these Presents:

THAT I, Mary Herlihy a widow of Portsmouth, County of Rockingham,
State of New Hampshire
for consideration paid, grant to Mary E. Caswell, a widow of Portsmouth, County of
Rockingham, State of New Hampshire
with warranty covenants to the said Mary E. Caswell

A certain lot of land in said Portsmouth lying on the Westerly
side of Brewster Street bounded and described as follows:

Easterly by said Brewster Street thirty-seven feet ten inches,
more or less; northerly by land of Mary E. Caswell fifty feet, more
or less; westerly by land of Angelina Arric thirty-seven feet ten
inches, more or less; southerly by a common passageway in common
with the occupants of the lot next south of the same.

a portion of
Being the same premises conveyed to the grantor herein by
deed of Walter H. Page dated June 2, 1919, recorded in Rockingham
Registry of Deeds, Book 727, Page 415.



XX
XX

XX
XX

Witness my hand and seal this 21 day of May 1964

WITNESS:

J. Wholey

Mary Herlihy

STATE OF NEW HAMPSHIRE

COUNTY OF ROCKINGHAM, SS.

On this the 21st day of May, 1964, before me, John J. Wholey
the undersigned officer, personally appeared Mary Herlihy
known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instru-
ment and acknowledged that She executed the same for the purpose therein contained.

In witness whereof I herunto set my hand and official seal.

J. J. Wholey
Justice of the Peace.

REC'D & RECORDED MAY 22 1964 12:35 P.M.

Del.
J. J. Wholey
U.S. Rev.
STAMP
.55

1135-038

Consideration
less Than \$100.00
1135 038

Know all Men by these Presents,

That I, Russell Mitrook, of Portsmouth, in the County of Rockingham
and The State of New Hampshire

for and in consideration of the sum of One Dollar and other valuable considerations
to me in hand before the delivery hereof, well and truly paid by Mary Elizabeth Caswell, of Ports-
mouth, in the County of Rockingham and The State of New Hampshire

the receipt whereof I do hereby acknowledge, have granted, bargained, and sold, and by these presents do give, grant, bargain,
sell, alien, enfeof, convey, and confirm unto the said Mary Elizabeth Caswell and her

heirs and assigns, forever, a certain lot or parcel of
land, with the buildings thereon, lying, situate and being in the City
of Portsmouth, in the County of Rockingham and The State of New Hampshire,
on the Westerly side of the public highway now known as Brewster Street,
being now numbered ninety-two (92) thereon, bounded and described as
follows, viz:- Beginning in the Westerly side-line of said Brewster
Street at land now or formerly of Mary Herlihy and thence running by
said Herlihy land South 67 degrees, 15 minutes West fifty and two tenths
(50.2) feet to land now or formerly of Frank Arrie; thence turning and
running by said Arrie land North 24 degrees, 41 minutes West twenty-eight
(28) feet to land of the heirs of Kateny Metrook; thence turning and
running by said last named land North 67 degrees, 07 minutes East
thirteen (13) feet; thence North 88 degrees, 09 minutes East eight and
six tenths (8.6) feet; thence South 22 degrees, 53 minutes East five
(5) feet; thence North 67 degrees, 07 minutes East thirty (30) feet
to said Brewster Street; thence turning and running South 22 degrees,
53 minutes East by said Brewster Street twenty (20) feet to the point
of beginning.

Title of the said Russell Mitrook in the above described
premises is derived in part from his mother, Kateny Metrook, who acquired
the premises by deed of Harry Cohen, dated July 12, 1919, recorded in
Rockingham County Registry of Deeds, Book 733, Page 77; in part by deed
from Edgar A. Blanchard, Guardian of Alice Mitrook, Anthony Mitrook and
Andrew Mitrook, dated January 24, 1941, recorded in said Registry of
Deeds, Book 967, Page 138; and in part by deed of Marie Metrook, Ethel
Metrook Sutton, Annie Metrook Fortin and John Metrook dated December 9,
1940, recorded in said Registry of Deeds, Book 980, Page 123.

TO HAVE AND TO HOLD the afore-described premises, with all the privileges and appurtenances to the same belonging to her
the said Mary Elizabeth Caswell and her heirs and assigns to her
and their only proper use and benefit forever. And I the said Russell Mitrook
for myself and my heirs, executors and administrators, do hereby covenant, grant, and agree to and with the said
grantee and her heirs and assigns, that until the delivery hereof I am the lawful owner
of the said premises, and I am seized and possessed thereof in my own right in fee simple and have full power
and lawful authority to grant, and convey the same in manner aforesaid; that the said premises are free and clear from all and every
incumbrance whatsoever; and that I will and my heirs, executors, and administrators shall warrant and defend
the same to the said Mary Elizabeth Caswell and her heirs and assigns against the lawful
claims and demands of any person or persons whomsoever.

And I, Margaret G. Mitrook, wife of said Russell Mitrook in consideration
aforesaid, do hereby relinquish my right of dower in the before mentioned premises.

And we each of us do hereby release, discharge, and waive all such rights of exemption from attachment and levy or sale on execution, and such other rights
whatsoever in said premises and in each and every part thereof, as our Family Homestead, as are reserved or secured to us, or either of us, by Chapter 214 of the Public
Laws of New Hampshire, or by any amendments thereto.

IN WITNESS WHEREOF we have hereunto set our hand and seal this eighth
July in the year of our Lord, one thousand nine hundred and forty-nine.

Signed, sealed and delivered in presence of

Oliver W. Marvin

Russell Mitrook
Margaret Mitrook

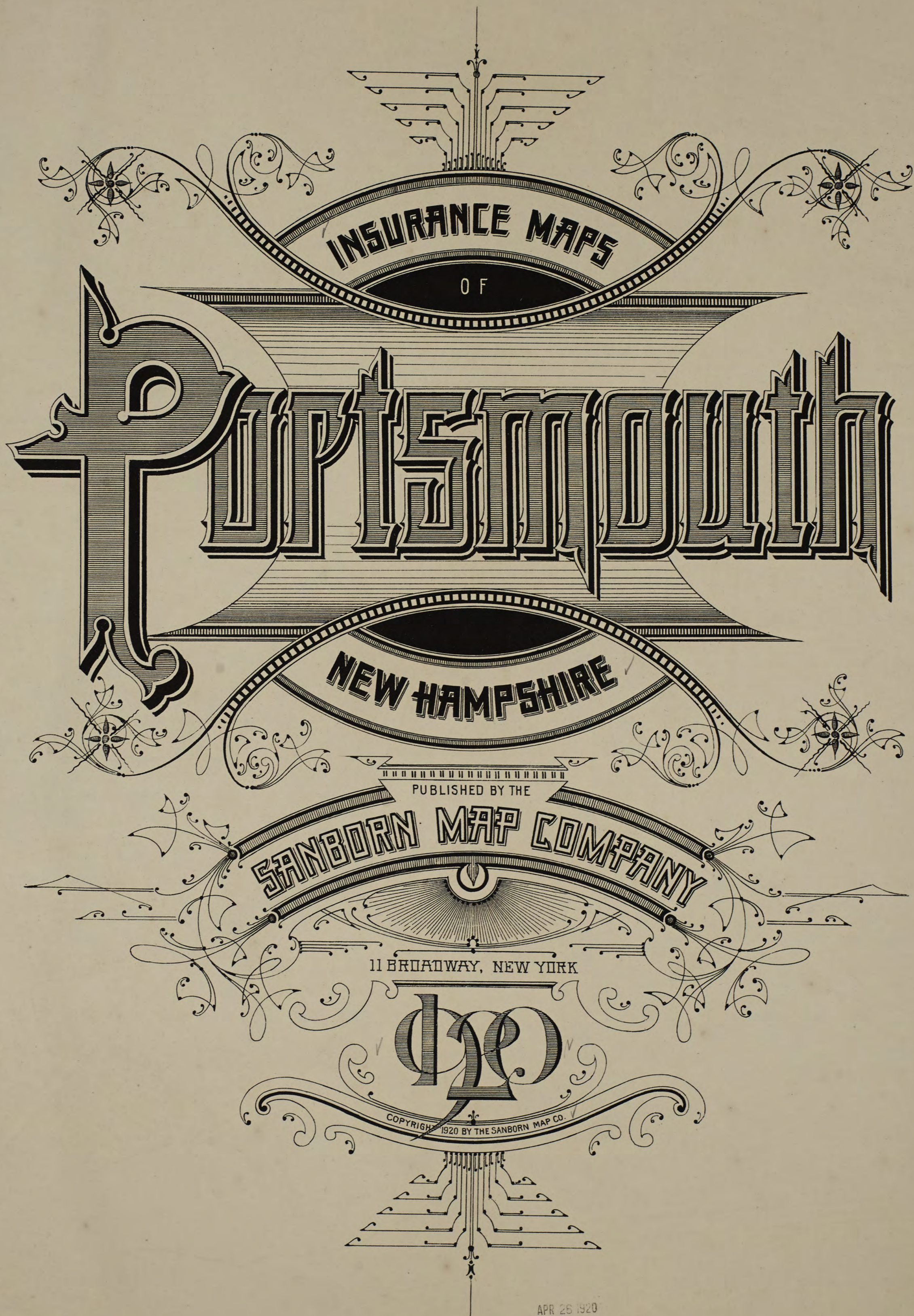


STATE OF NEW HAMPSHIRE
Rockingham, ss. July 8, A. D. 1949
Personally appeared the above named Russell Mitrook and Margaret G. Mitrook

and acknowledged the above Instrument to be their voluntary act and deed.

Before me,
Oliver W. Marvin Justice of the Peace.

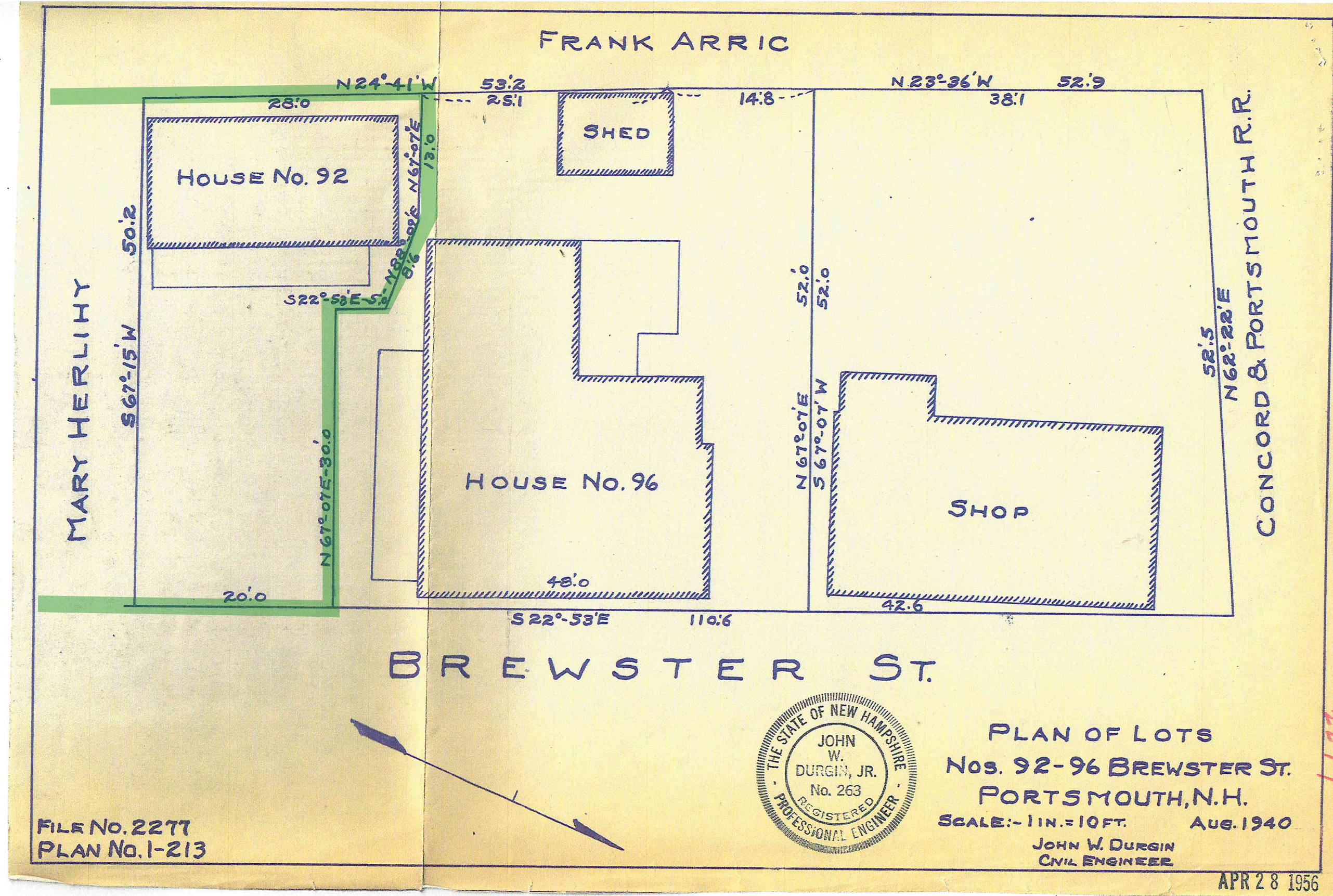
My commission expires October 9, 1952.
Received and recorded July 11, 9 A.M., 1949.

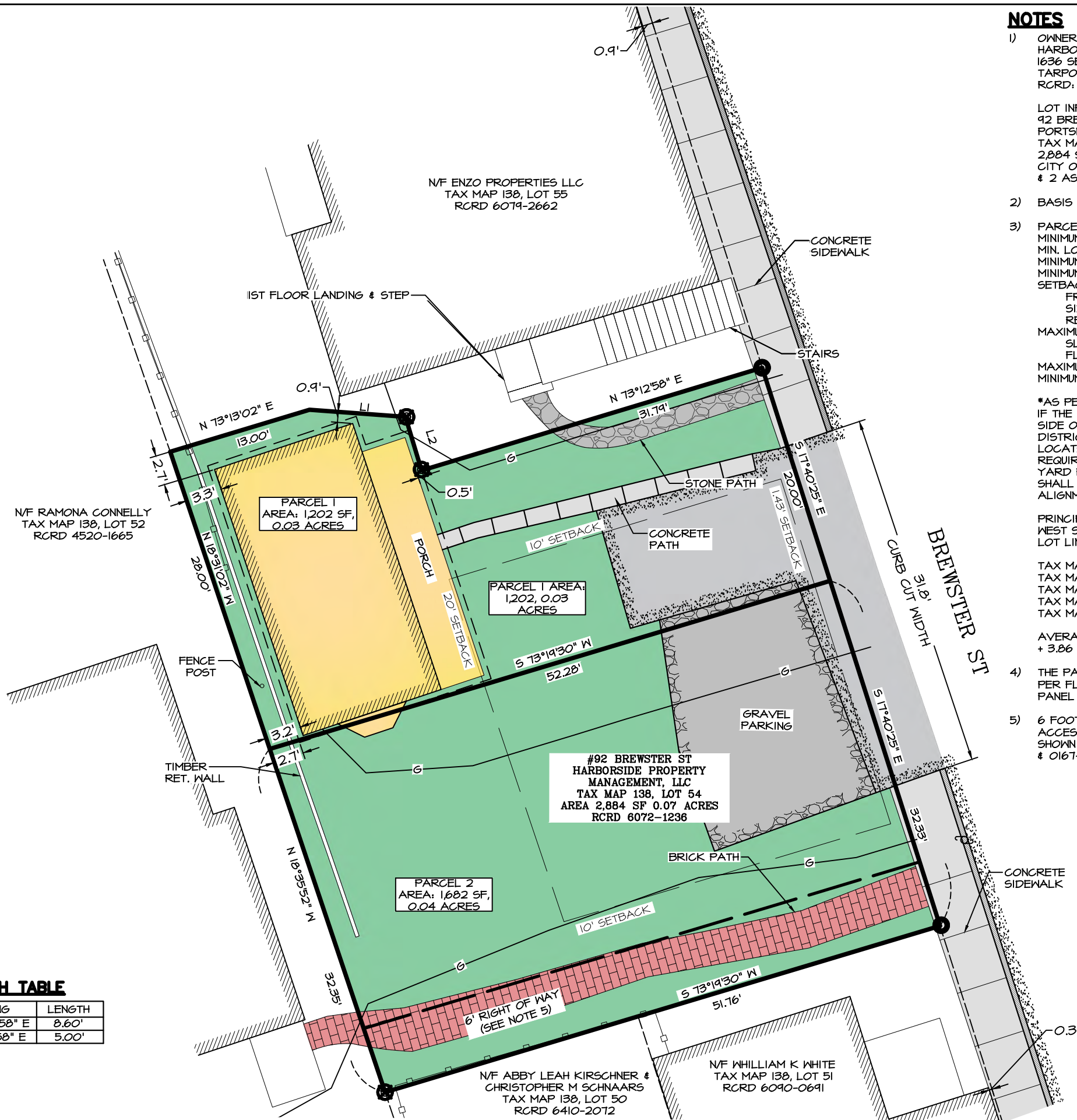




Scale of Feet.

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Library of Congress





NOTES

- 1) OWNER OF RECORD:
HARBORSIDE PROPERTY MANAGEMENT, LLC
1636 SEABREEZE DR
TARPON SPRINGS, FL 34689
RCRD: 6072-1236
- LOT INFORMATION:
92 BREWSTER STREET
PORTSMOUTH, NH 03801
TAX MAP 138, LOT 54
2.884 SF 0.07 ACRES
CITY OF PORTSMOUTH TAX MAP SHOWS PARCELS 1
& 2 AS ONE LOT

- 2) BASIS OF BEARING HELD FROM PLAN REFERENCE #4.

- 3) PARCEL IS IN GENERAL RESIDENCE C ZONE (GRC)
 MINIMUM LOT AREA.....3,500 SF
 MIN. LOT AREA PER DWELLING UNIT.....3,500 SF
 MINIMUM FRONTAGE.....70 FT
 MINIMUM DEPTH.....50 FT
 SETBACKS:

FRONT.....1.43 FT*
SIDE.....10 FT
REAR.....20 FT

MAXIMUM BUILDING HEIGHT:
SLOPED ROOF.....35 FT
FLAT ROOF.....30 FT
MAXIMUM BUILDING COVERAGE.....35%
MINIMUM OPEN SPACE.....20%

*AS PER PORTSMOUTH ZONING ORDINANCE 10.516.10 IF THE EXISTING PRINCIPAL BUILDINGS ON THE SAME SIDE OF THE SAME STREET, IN THE SAME ZONING DISTRICT, AND WITHIN 200 FEET OF A LOT ARE LOCATED CLOSER TO THE STREET THAN THE MINIMUM REQUIRED FRONT YARD, THEN THE REQUIRED FRONT YARD FOR THE PRINCIPAL BUILDING ON SUCH LOT SHALL BE THE AVERAGE OF THE EXISTING ALIGNMENTS OF ALL SUCH PRINCIPAL BUILDINGS.

PRINCIPAL BUILDINGS WITHIN 200' OF LOT 54 ON
WEST SIDE OF BREWSTER ST - DISTANCE TO FRONT
LOT LINE

TAX MAP 138, LOT 56 - 1.86'
TAX MAP 138, LOT 55 - 0.90'
TAX MAP 138, LOT 51 - 0.30'
TAX MAP 138, LOT 25 - 0.24'
TAX MAP 138, LOT 37 - 3.86'

$$\text{AVERAGE FRONT YARD} = 1.86 + 0.90 + 0.30 + 0.24 + 3.86 / 5 = 1.43'$$

- 4) THE PARCEL IS NOT WITHIN A FEMA FLOOD ZONE, AS PER FLOOD INSURANCE RATE MAP #33015C0259F, PANEL 259 OF 681, DATED JANUARY 29, 2021.
- 5) 6 FOOT WIDE RIGHT OF WAY EXISTS TO ALLOW ACCESS TO LOT 52 FROM BREWSTER STREET. THIS IS SHOWN ON THE 1979 TAX MAP. SEE RGRD 0722-0190 & 0167-0433.

LEGEND

-  DRILL HOLE FOUND
-  REBAR WITH CAP FOUND
-  RAILROAD SPIKE FOUND

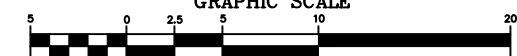
100x00 SPOT ELEVATION

— FENCE

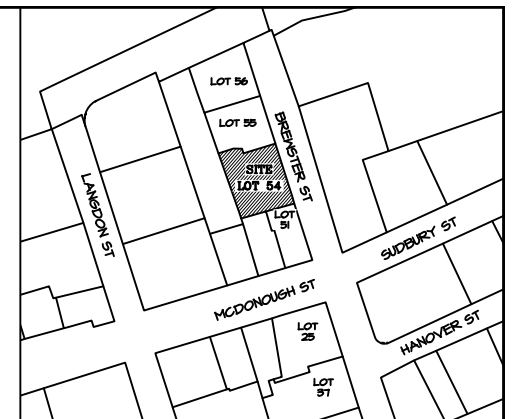
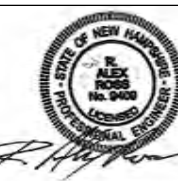
VERTICAL GRANITE CURB

- GAS

GRAPHIC SCALE



(IN FEET)
SCALE: 1" = 10'



LOCUS PLAN
N.T.S.

REFERENCE PLANS

- 1) "PLAN OF LOTS NOS. 92-96 BREWSTER ST. PORTSMOUTH, N.H." BY JOHN W. DURGIN. DATED AUG. 1940. FILED NO. 2277, PLAN NO.. 1-213
- 2) "BOUNDARY SURVEY FOR CITY OF PORTSMOUTH" BY ROSS ENGINEERING, DATED SEP. 25, 2003. RCRD D-31009
- 3) "EASEMENT PLAN TAX MAP 138 - LOT 48 JOHN L. AHLGREN TO THE CITY OF PORTSMOUTH" BY AMBIT ENGINEERING, INC. DATED MAY 7, 2013. RCRD 38725
- 4) "SUBDIVISION PLAN TAX MAP 138 - LOT 48 FOR CHINBURG DEVELOPMENT, LLC ON LAND OF JOHN L. AHLGREN & BESSIE PALMISCIANO" BY AMBIT ENGINEERING, INC. DATED FEB. 26, 2016. RCRD 34552
- 5) "LOT LINE RELOCATION AND EASEMENT PLAN TAX MAP 138 - LOTS 60 & 61." BY AMBIT ENGINEERING, INC. DATED MAY 2, 2017. RCRD 40491
- 6) "BOUNDARY SURVEY FOR 92 & 96 BREWSTER ST. PORTSMOUTH, NH 03801" BY ROSS ENGINEERING LLC. DATED DEC 20, 2019. RCRD 41920

EXHIBIT D

7	3/3/2025	ZBA SUBMITTAL	
6	2/19/2025	ZBA SUBMITTAL	
5	1/31/2025	PRELIMINARY	
4	9/25/2024	PRELIMINARY	
ISS.	DATE	DESCRIPTION OF ISSUE	
SCALE	1" = 10'		
CHECKED	A.ROSS		
DRAWN	D.D.D.		
CHECKED			

ROSS ENGINEERING

ROSS ENGINEERING
Civil/Structural Engineering
& Surveying
909 Islington St.
Portsmouth, NH 03801
(603) 433-7560

CLIENT
GEORGE HAILS
92 BREWSTER STREET.
PORTSMOUTH, NH 03801

TITLE	EXISTING CONDITIONS PLAN
-------	--------------------------------

92 BREWSTER ST
PORTSMOUTH, NH 03801
TAX MAP 138, LOT 54

JOB NUMBER	DWG. NO.	ISSUE
23-095	1 OF 2	6

NOTES

1) OWNERS OF RECORD:
HARBORSIDE PROPERTY MANAGEMENT, LLC
1636 SEABREEZE DR
TARPOON SPRINGS, FL 34689
RCRD: 6072-1236

LOT INFORMATION:
92 BREWSTER STREET
PORTSMOUTH, NH 03801
TAX MAP 138, LOT 54
2,884 SF, 0.07 ACRES
CITY OF PORTSMOUTH TAX MAP SHOWS
PARCELS 1 & 2 AS ONE LOT

2) PARCEL IS IN GENERAL RESIDENCE C ZONE (GRC)
MINIMUM LOT AREA.....3,500 SF
MIN. LOT AREA PER DWELLING UNIT.....3,500 SF
MINIMUM FRONTAGE.....70 FT
MINIMUM DEPTH.....50 FT
SETBACKS:
FRONT.....1.43 FT
SIDE.....10 FT
REAR.....20 FT
MAXIMUM BUILDING HEIGHT:
SLOPED ROOF.....35 FT
FLAT ROOF.....30 FT
MAXIMUM BUILDING COVERAGE.....35%
MINIMUM OPEN SPACE.....20%

3) COVERAGES
BUILDING COVERAGE
EXISTING
HOUSE.....334 SF
PORCH.....90 SF
COVERAGE 424 SF/2,884 SF = 14.7%

PROPOSED
HOUSE.....899 SF
PORCH.....49 SF
COVERAGE 948 SF/2,884 SF = 32.9%

OPEN SPACE
EXISTING
BUILDING COVERAGE.....424 SF
GRAVEL.....301 SF
ASPHALT.....245 SF
BRICK PATH.....178 SF
CONCRETE PATH.....44 SF
CONCRETE SIDEWALK.....11 SF
STONE PATH.....35 SF
TOTAL LOT COVERAGE 1,238 SF
OPEN SPACE 2,884 - 1,238 = 1,646 SF
OPEN SPACE 1,646 / 2,884 = 57.1%

PROPOSED
BUILDING COVERAGE.....948 SF
LANDING & STEPS < 18".....22 SF
BULKHEAD.....23 SF
ASPHALT.....382 SF
BRICK PATH.....178 SF
CONCRETE SIDEWALK.....8 SF
TOTAL LOT COVERAGE 1,561 SF
OPEN SPACE 2,884 - 1,561 = 1,323 SF
OPEN SPACE 1,323 / 2,884 = 45.9%

4) GRADE PLANE:
AS PER PORTSMOUTH ZONING ORDINANCE
GRADE PLANE IS DEFINED AS FOLLOWS: A
REFERENCE PLANE REPRESENTING THE
AVERAGE OF FINISHED GROUND LEVELS
ADJOINING THE BUILDING AT ALL EXTERIOR
WALLS. WHEN THE FINISHED GROUND LEVEL
SLOPES AWAY FROM EXTERIOR WALLS, THE
REFERENCE PLANE SHALL BE ESTABLISHED BY
THE LOWEST POINTS WITHIN THE AREA BETWEEN
THE BUILDING AND THE LOT LINE OR, WHEN THE
LOT LINE IS MORE THAN 6 FEET FROM THE
BUILDING, BETWEEN THE BUILDING AND A POINT
6 FEET FROM THE BUILDING.
THE GRADE PLANE WAS DETERMINED BY THE
AVERAGE ELEVATION OF POINTS BETWEEN THE
PERIMETER OF THE BUILDING AND 6' AWAY
FROM THE BUILDING. THE GRADE PLANE WAS
CALCULATED AS 93.69'.

GRADE PLANE = 93.69'

5) BUILDING HEIGHT:
BUILDING HEIGHT FOR A GAMBREL, HIP, OR
HIP-TOPPED MANSARD ROOF IS CALCULATED
AS THE VERTICAL MEASUREMENT FROM THE
GRADE PLANE TO THE MIDWAY POINT
BETWEEN THE LEVEL OF THE EAVES AND THE
HIGHEST POINT ON THE ROOF RIDGE AS PER
PORTSMOUTH ZONING ORDINANCE. THE LEVEL
OF THE EAVES IS PROPOSED TO BE 120.90'.
THE HIGHEST RIDGE IS 126.48'. THE MIDPOINT
IS 123.69'.

THE BUILDING HEIGHT OF THE BUILDING WAS
CALCULATED TO BE 30.00', USING A GRADE
PLANE OF 93.69' AND A MIDPOINT ROOF EL.
OF 123.69'.

BUILDING HEIGHT = 123.69' - 93.69' = 30.00'

6) PARKING
AS PER PORTSMOUTH ZONING ORDINANCE
10.1112.311 THE REQUIRED MINIMUM NUMBER OF
OFF-STREET PARKING SPACES FOR DWELLING
UNITS OVER 750 SF IN FLOOR AREA IS 1.3
SPACES.

AS PER PORTSMOUTH ZONING ORDINANCE
10.814.26 1 OFF-STREET PARKING SPACE
SHALL BE PROVIDED FOR AN ADU IN
ADDITION TO THE SPACES THAT ARE
REQUIRED FOR THE PRINCIPAL
SINGLE-FAMILY DWELLING.

REQUIRED PARKING = 1.3 SPACES (DWELLING)
+ 1 SPACE (ADU) = 2.3 = 3 SPACES REQUIRED

3 PARKING SPACES HAVE BEEN PROVIDED, 2
SPACES ON THE LEFT SIDE OF THE
PROPOSED HOUSE, AND ONE INSIDE THE
GARAGE.

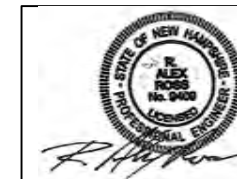
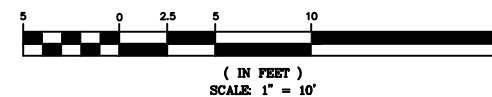
VARIANCE REQUESTED

ITEM	REQUIRED	EXISTING	PROPOSED
REAR PROPERTY LINE TO HOUSE	20 FT	3.2 FT	10.3 FT
REAR PROPERTY LINE TO OVERHANG	20 FT	2.7 FT	9.3 FT
RIGHT SIDE PROPERTY LINE TO OVERHANG	10 FT	0 FT	9.4 FT

LENGTH TABLE

	BEARING	LENGTH
L1	S 85°44'58" E	8.60'
L2	S 16°46'58" E	5.00'

GRAPHIC SCALE



7	3/3/2025	ZBA SUBMITTAL	
6	2/19/2025	ZBA SUBMITTAL	
5	1/31/2025	PRELIMINARY	
4	9/25/2024	PRELIMINARY	
ISS.	DATE	DESCRIPTION OF ISSUE	
CHECKED	A.ROSS		
DRAWN	D.D.D.		
CHECKED			

ROSS ENGINEERING
Civil/Structural Engineering
& Surveying
909 Islington St.
Portsmouth, NH 03801
(603) 433-7560

CLIENT
GEORGE HAILS
92 BREWSTER STREET.
PORTSMOUTH, NH 03801

TITLE

SITE PLAN

92 BREWSTER ST
PORTSMOUTH, NH 03801
TAX MAP 138, LOT 54

JOB NUMBER	DWG. NO.	ISSUE
23-095	2 OF 2	6

LEGEND

- DRILL HOLE FOUND
- ⊗ REBAR WITH CAP FOUND
- ⊙ RAILROAD SPIKE FOUND
- 100x00 SPOT ELEVATION
- FENCE
- VERTICAL GRANITE CURB
- GAS
- UTILITY POLE
- DRAINAGE FLOW PATH

N/F RAMONA CONNELLY
TAX MAP 138, LOT 52
RCRD 4520-1665

N/F ENZO PROPERTIES
LLC
TAX MAP 138, LOT 55
RCRD 6074-2662

#92 BREWSTER ST
HARBORSIDE PROPERTY
MANAGEMENT, LLC
TAX MAP 138, LOT 54
AREA 2,884 SF 0.07 ACRES
RCRD 6072-1236

N/F ABBY LEAH KIRSCHNER &
CHRISTOPHER M SCHNAARS
TAX MAP 138, LOT 51
RCRD 6090-0691

N/F TAMMY GEWEHR
TAX MAP 138, LOT 41
RCRD 5554-0471

Heloise

992.120.v2 GL

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603-431-9559



Dear Builders and Home Buyers,

In addition to our Terms and Conditions (the "Terms", available on ArtformHomePlans.com), please be aware of the following:

As defined in the Terms, this is a Design Drawing and may not yet have Construction Drawings (CDs) or the CDs may not reflect design changes. During the conversion of a Design Drawing to Construction Drawings, changes may be necessary including, but not limited to, dimensional changes or changes to the framing and structural supports.

We require that our designs be built substantially as shown in the Drawings. Markups agreed to by Builder and Home Buyer must still be approved by Artform, and may require additional changes, such as structural updates. While we attempt to accommodate requested changes where possible and reasonable, including considerations of design integrity, any and all changes to Drawings must be approved in writing by Artform. It is recommended that you have your Design Drawings updated by Artform prior to attaching any Drawing to any builder agreement. Artform shall not be responsible for the misuse of or unauthorized alterations to any of its Drawings.

- To maintain design integrity, we pay particular attention to features on the front facade, including but not limited to door surrounds, window casings, finished porch column sizes, and roof friezes. While we may allow builders to add their own flare to aesthetic elements, we don't allow our designs to be stripped of critical details. Any such alterations require the express written consent of Artform.
- Increasing or decreasing ceiling heights requires adjustments to window sizes and other exterior elements.

We are not responsible for typographical errors. Home Buyer shall give thoughtful consideration to all drawings and documents provided to them and shall be solely responsible for ensuring that they understand features in the home that are important to them.

1/31/2025

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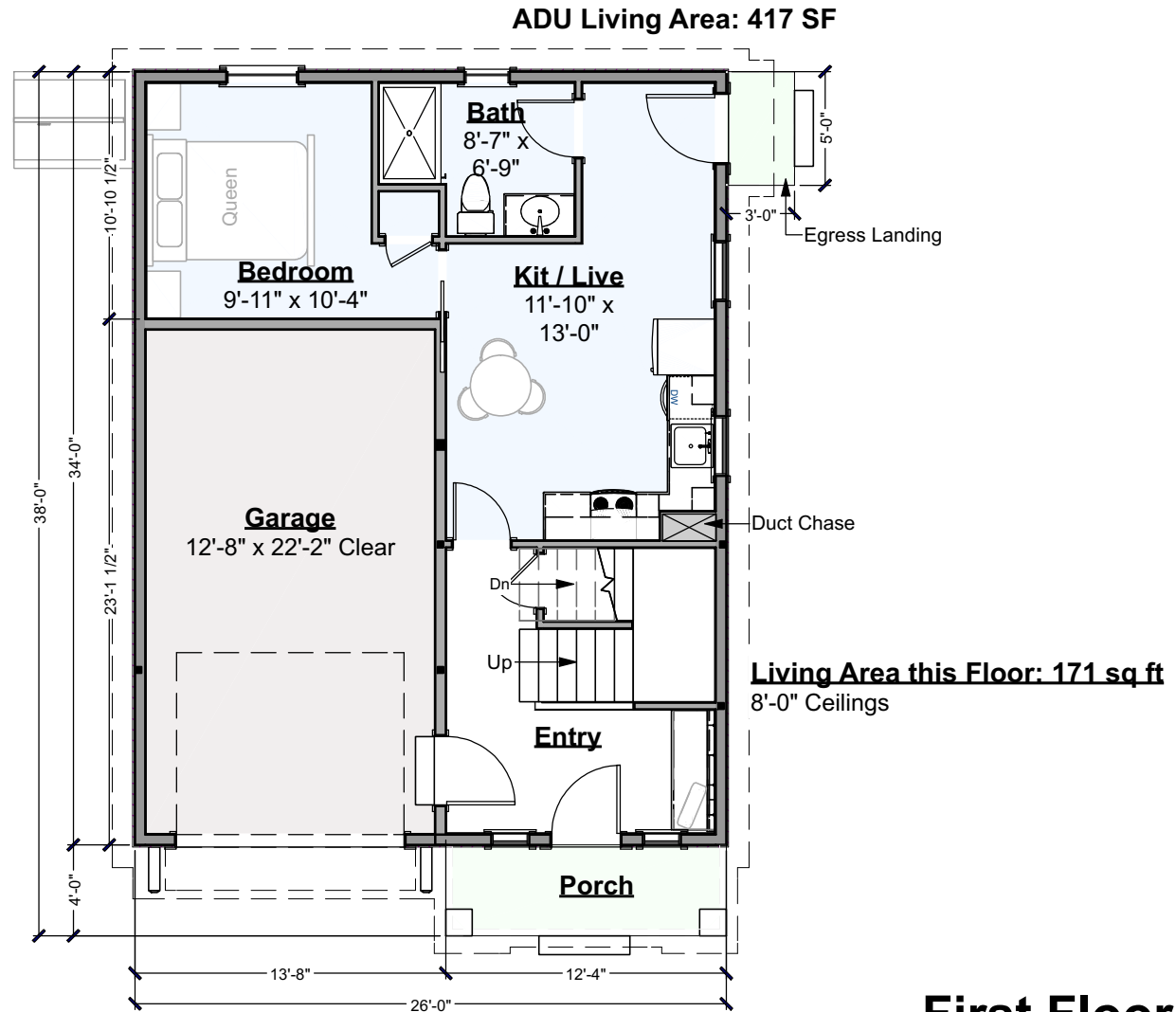


1/31/2025

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First Floor Plan
Scale: 1/8" = 1'-0"

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603-431-9559

Living Area this Floor: 899 sq ft

8'-6" Ceilings



Second Floor Plan

Scale: 1/8" = 1'-0"

1/31/2025

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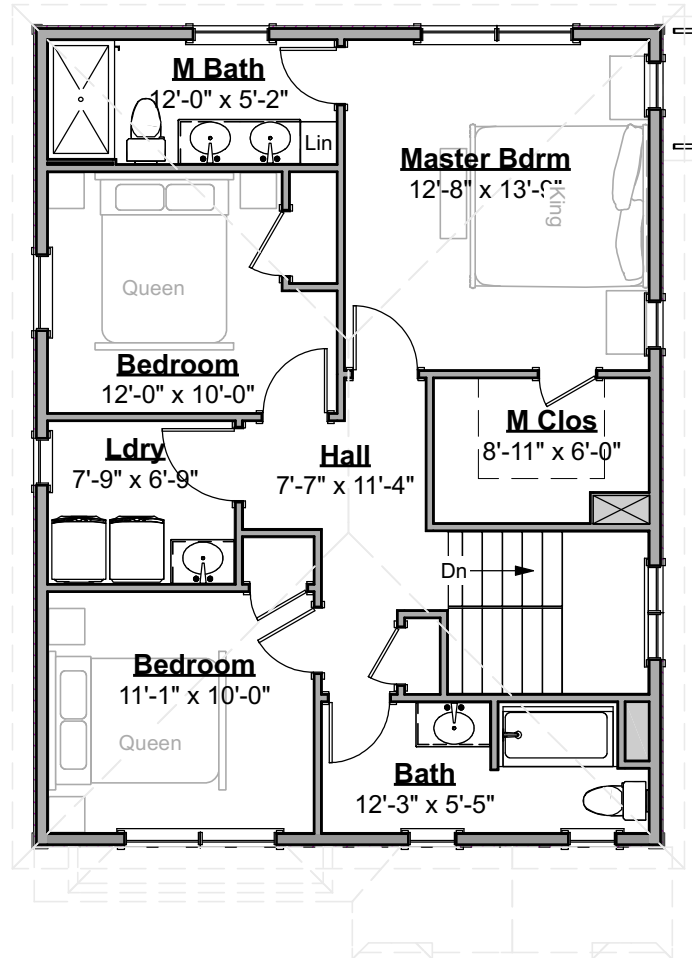
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603-431-9559

Living Area this Floor: 884 sq ft

8'-0" Ceilings



Third Floor Plan

Scale: 1/8" = 1'-0"

1/31/2025

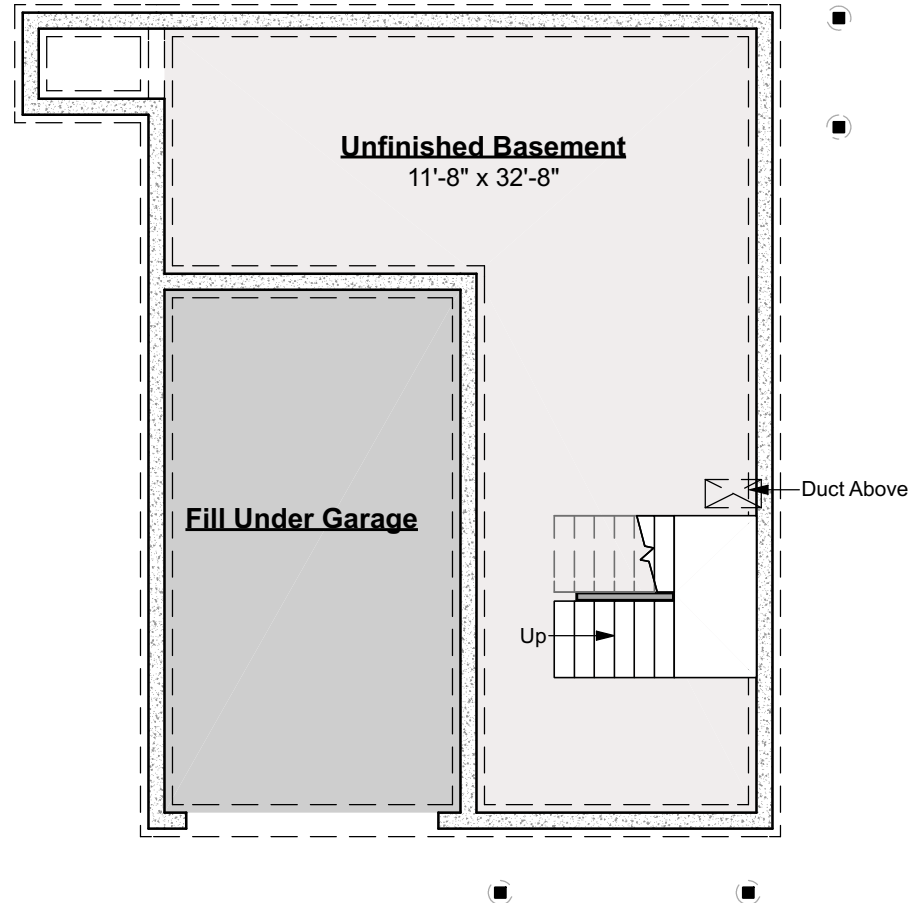
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603-431-9559



Foundation Plan
Scale: 1/8" = 1'-0"

1/31/2025

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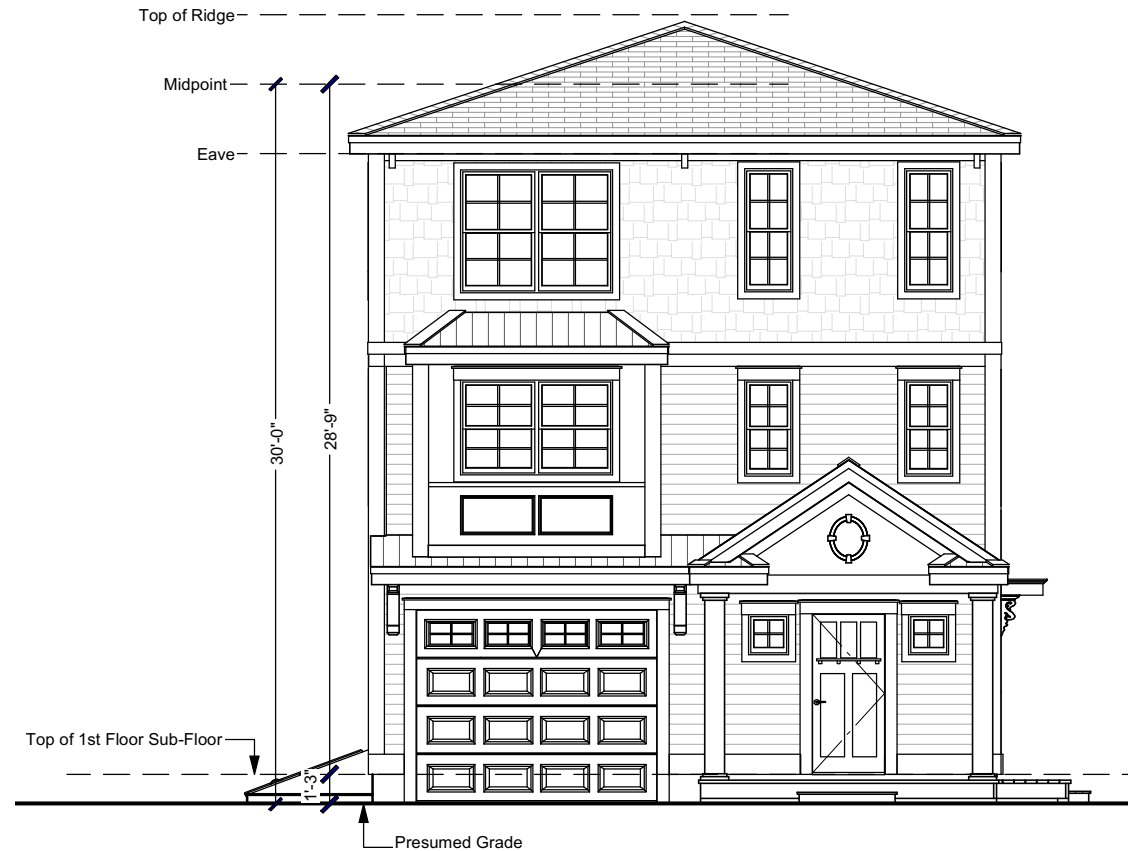
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Front Elevation
Scale: 1/8" = 1'-0"

1/31/2025

Heloise

992.120.v2 GL

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Right Elevation

Scale: 1/8" = 1'-0"

1/31/2025

Heloise

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Rear Elevation
Scale: 1/8" = 1'-0"

1/31/2025

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Left Elevation
Scale: 1/8" = 1'-0"

1/31/2025

Heloise

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Interior Views

CRS 992.120.v2 GL Heloise - 26x34

92 Brewster St



Imagery ©2025 Google, Imagery ©2025 Airbus, Maxar Technologies, Map data ©2025 50 ft

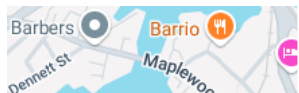
EXHIBIT F

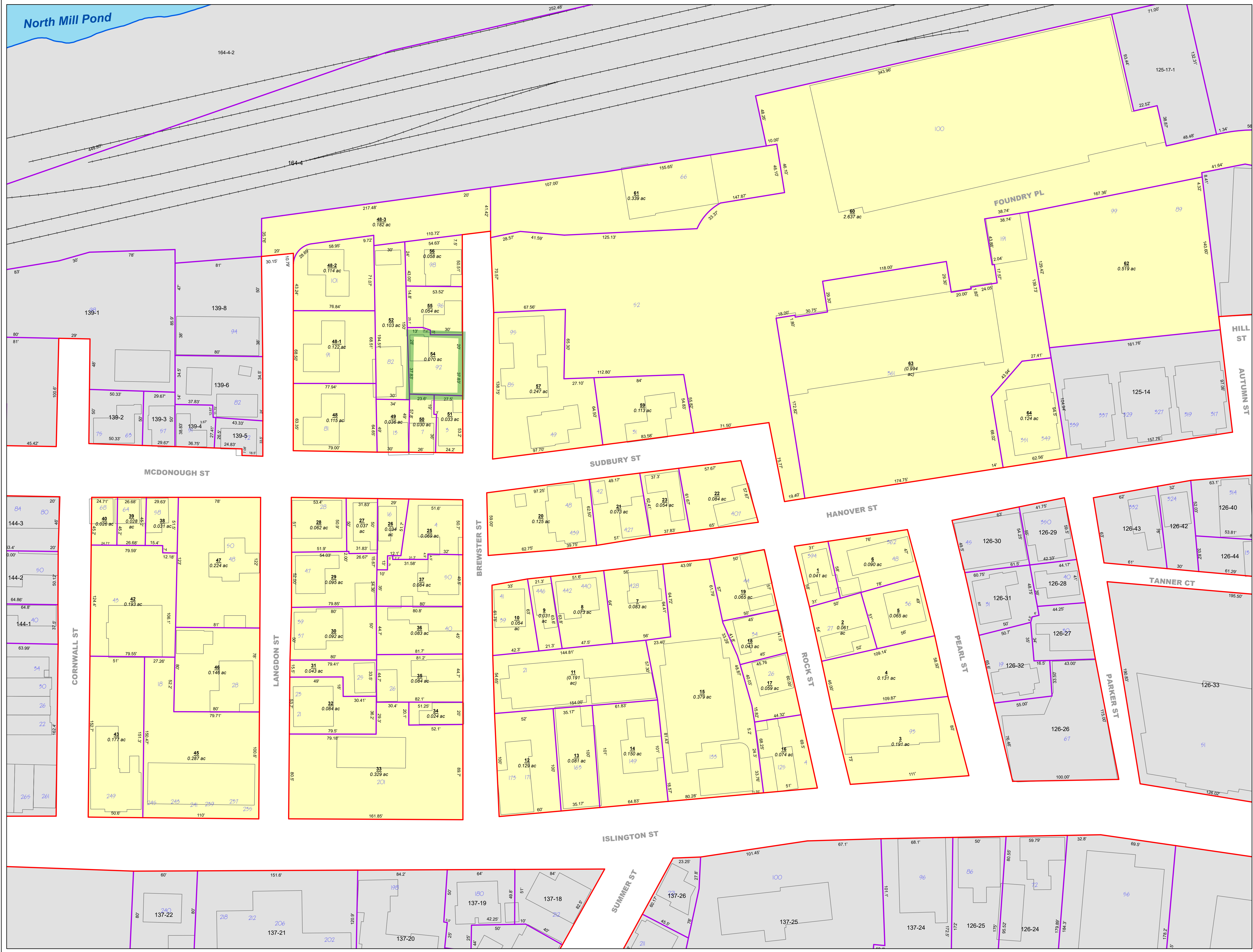
Google Maps

85 Brewster St



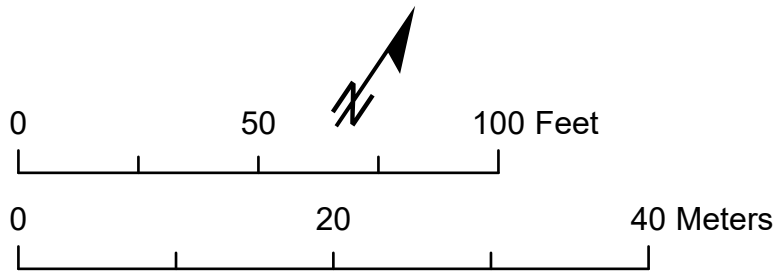
Image capture: Nov 2024 © 2025 Google





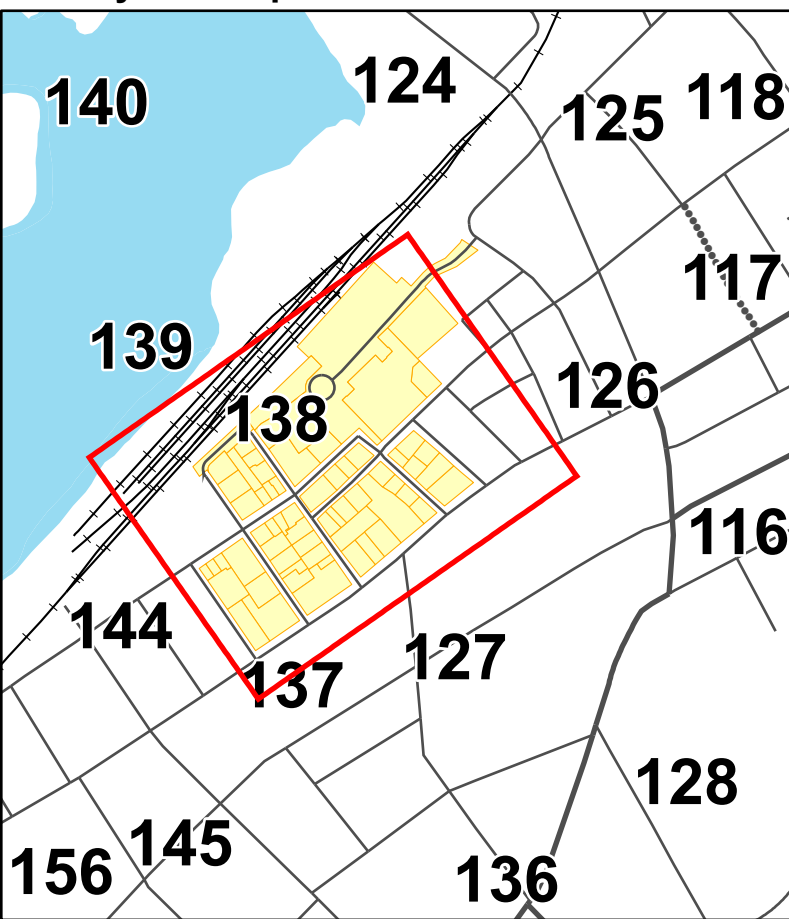
- Partial Legend**
- See the cover sheet for the complete legend.
- 7-5A** Lot or lot-unit number
 - 2.56 ac Parcel area in acres (ac) or square feet (sf)
 - Address number
 - 233-137 Parcel number from a neighboring map
 - 68' Parcel line dimension
 - Street name
- SIMS AVE**
- Parcel/Parcel boundary
 - Parcel/ROW boundary
 - Water boundary
 - Structure (1994 data)
- Parcel covered by this map
 - Parcel from a neighboring map (see other map for current status)

EXHIBIT G

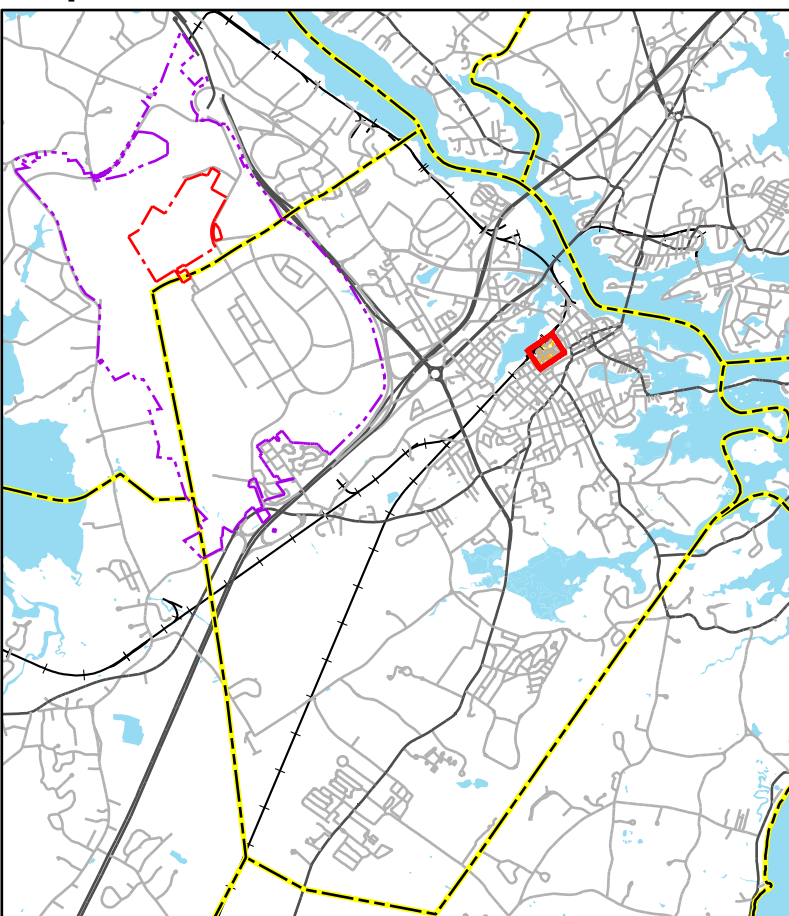


This map is for assessment purposes only. It is not intended for legal description or conveyance. Parcels are mapped as of April 1. Building footprints are 2006 data and may not represent current structures. Streets appearing on this map may be paper (unbuilt) streets. Lot numbers take precedence over address numbers. Address numbers shown on this map may not represent posted or legal addresses.

Nearby Tax Maps



Map Location



Portsmouth, New Hampshire
2024

Tax Map 138