

HOEFLE, PHOENIX, GORMLEY & ROBERTS, PLLC

ATTORNEYS AT LAW

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October 28, 2020

HAND DELIVERED

Peter Stith, Planner
City of Portsmouth
1 Junkins Ave.
Portsmouth, NH 03801

Re: Gregory & Amanda Morneault, Owner
Darrell Moreau, Applicant
137 Northwest Street
Portsmouth, New Hampshire, 03801
Tax Map 122, Lot 2, Gen. Residence A (GRA) District

Dear Peter:

Attached please find our Memorandum with exhibits in support of an Application for Variances in order to subdivide one lot into and to add a duplex on the subdivided lot. We have uploaded on the application and documents. We will also deliver the original and eleven (11) copies as required.

We look forward to presenting this the Zoning Board of Adjustment at its November 17, 2020 meeting.

Let me know if you have any questions or comments.

Very truly yours,



R. Timothy Phoenix

RTP/msw

Encl.

cc: Client
Ambit Engineering, Inc.
Artform Architecture, Inc

DANIEL C. HOEFLE	R. PETER TAYLOR	GREGORY D. ROBBINS	DUNCAN A. EDGAR
R. TIMOTHY PHOENIX	JOHN AHLGREN	MONICA F. KIESER	OF COUNSEL:
LAWRENCE B. GORMLEY	KIMBERLY J.H. MEMMESHEIMER	SAMUEL HARKINSON	SAMUEL R. REID
STEPHEN H. ROBERTS	KEVIN M. BAUM	JACOB J.B. MARVELLEY	

MEMORANDUM

TO: Portsmouth Zoning Board of Adjustment (“ZBA”)
FROM: R. Timothy Phoenix, Esquire
RE: Variances
Gregory and Amanda Morneault, Owners
Darrell Moreau, Applicant
Property Location: 137 Northwest Street, Portsmouth, NH 03801
Tax Map 122, Lot 2, GRA and Historic Districts

Dear Chair Rheame and Zoning Board Members:

On behalf of Gregory and Amanda Morneault, owners and Darrell Moreau, applicant (“Moreau” or “Applicant”), we are pleased to submit this memorandum and the attached exhibits in support of variances to subdivide a single lot into two lots, and add a duplex on the newly created lot.

I. Exhibits

1. 10/22/20 Plan Set- by Ambit Engineering, Inc.
 - Subdivision Plan
 - Variance Plan
2. Elevations and Floor Plan Set- by Artform Architecture, Inc.
 - Front and Rear Elevations
 - First Floor Plan
 - 2nd floor Plan
 - Foundation Plan
 - Front and Right Elevations
 - Rear and Left Elevations
3. Site Photographs.
4. Tax Map 122 (subject), 123, 141 (area).

II. Property/Project

137 Northwest St. is 18,134 ft. lot sandwiched between Northwest Street and the Route 1 Bypass. With frontage of approximately 536 feet, and a depth ranging from less than 20 feet to approximately 70 feet, the lot is very long and narrow. The existing home is located at the far west (left) end of the lot, leaving a significant area presently undeveloped except for a City of Portsmouth sewer pump station and access area located at the far easterly (right) end of the lot.

The project intent is to subdivide the single lot into two lots. Lot 1 will hold the existing home. Lot 2 will hold a proposed duplex. The Lot 2 rear lot line is about 30 feet and down a steep hill from the Bypass. The proposed lot configuration and building represent a reasonable development for this property. The existing home other nearby homes on smaller lots close to lot lines supports this effort to permit. It is widely known there are is demand for few relatively reasonably priced homes in in Portsmouth. This project will allow Moreau to offer new construction for two families in downtown Portsmouth at comparatively reasonable prices.

As proposed, each lot will meet the 7500 ft. minimum lot size requirement, frontage and side setback requirements. Relief is required for both lots because the depth of lot 1 will be slightly reduced, and lot 2 does not meet the front/rear yard and depth requirements or the 7500 s.f. lot size per dwelling unit requirement.

III. Relief Required

Lot 1

PZO§10.521-Table of Dimensional Standards¹

Lot Depth-44.7 feet where 51.1 feet exists and 70 feet is required.

Lot 2

PZO§10.521 Table of Dimensional Standards

Lot area per dwelling unit-5317 s.f. (10634/2) where 7500 s.f. is required.

Front yard-2.9 feet where 15 feet is required.

Rear Yard-4.0 feet where 20 feet is required.

Lot Depth- 23.4² feet where 70 feet is required.

V. Variance Requirements

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

These two requirements are considered together pursuant Malachy Glen Associates, Inc. v. Town of Chichester, 155 N.H. 102 (2007) and its progeny. The test is whether granting a

¹ We question whether Lot 1 variances are required since the noncompliant lot depth is a prior nonconforming condition; however, we request the variances in an abundance of caution at the recommendation of the Planning staff.

² Approximately 34 feet at proposed duplex location.

variance "would unduly and to a marked degree conflict with the ordinance such that violates the ordinance's basic zoning objectives." *Id.*" Mere conflict with the ordinance is not enough. *Id.* The analysis begins with the purposes of the GRA District and the general purposes of the ordinance.

The purpose of the GRA District is "to provide for areas of single-family, two-family and multifamily dwellings with appropriate accessory uses, at moderate to high densities (ranging from approximately 5 to 12 dwelling units per acre), together with appropriate accessory uses and limited services. " PZO§10.440 Residential District Purposes. This purpose is met by both lots. Lot 1 with one dwelling on 7500 ft. equals 5.8 units per acre. Lot 2 at 5317 ft. per unit translates to 8.19 units per acre.

The general purposes of the ordinance pursuant to PZO§10.121 is "to promote the health, safety and the general welfare of Portsmouth and its region in accordance with the city's Master Plan... by regulating:

1. The use of land, buildings and structures for business, industrial, residential and other purposes-It is widely known that home prices in Portsmouth are quite high. Relatively modestly priced homes are difficult to find, leaving many young people and or moderate income earners to live in other communities. Adding two duplex units on a lot sandwiched between Northwest Street and the bypass will tend to command a more modest price, thus is appropriate.
2. The intensity of land use, including lot sizes, building coverage, building height and bulk, yards and open space-The lot 1 home presently exists. Accordingly, the depth and front and rear setbacks cannot be changed. Frontage, side setbacks, and area are compliant. Nothing can be built on proposed Lot 2 absent front, rear setback and depth variances. The location and characteristics of the lot leave it suitable for a duplex. With large side yards, 5317 s.f. per dwelling unit is reasonable.
3. The design of facilities for vehicular access, circulation, parking and loading-Lot 1 will not change. Lot 2 provides two garaged parking spaces for each unit.
4. The impact on properties of outdoor lighting, noise, vibration, stormwater runoff and flooding-Lot 1 will not change. The lot 2 duplex will have no negative effect on lighting, noise, vibration or flooding. Stormwater will be vetted in the subdivision process before the Planning Board.
5. The preservation and enhancement of the visual environment- Lot 1 will not change. Lot 2 will hold a tastefully designed and sized duplex.
6. The preservation of historic districts and buildings and structures of historic or architectural interest-Lot 1 will not change. Lot 2 will be subject to Historic District Commission review.
7. The protection of natural resources, including groundwater, surface water, weapons, wildlife habitat and air quality-Lot 1 will not change. Lot 2 is presently vacant and

somewhat overgrown. There will be no negative effect upon groundwater or wildlife habitat or air quality. Surface water will be vetted by the Planning Board.

In considering the public interest and spirit of the ordinance tests for determination of whether granting variances violates basic zoning objectives, the Malachy Glen court further 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)

Lot 1 and the house upon it already exist in the locality. The depth is only slightly reduced over existing conditions. The home is on a compliant sized lot so will neither alter the essential character of the locality nor threaten the public health, safety or welfare. The duplex on Lot 2 will be built to code, and will benefit from vetting by the Planning Board. The area includes compliant and numerous non-compliant sized lots many with structures very close to lot lines (**Exhibit 4**) It follows that granting the subdivision and variances will neither alter the essential character nor threaten the public health, safety or welfare.

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

Northwest Street itself has relatively few houses. Those existing are an eclectic mix of various sized lots/houses with various distances from the road. Some have water access, some do not. The larger area includes homes along Maplewood Avenue many of which are on small lots. The width of Lot 2 provides significant separation from neighbors. There is but one home directly across the street. It too is close to Northwest Street. The nature and location of Northwest Street, this lot, and the tastefully designed duplex, which will receive HDC review, will not diminish surrounding property values.

4. Denial of the variance result in unnecessary hardship.

a. Special conditions exist which distinguish the property/project from others in the area.

The lot is over 500 feet in length but only 19-70 feet deep, sandwiched between Northwest Street and the Bypass. The length and shallow nature of the lot create special conditions. These conditions support permitting two attached units of relatively affordable housing in downtown Portsmouth.

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

Density limits are intended to provide space, air and light, protect against overbulking structures, maintain off street parking and eliminate congestion. Here, Lot 1 and the home upon it meet the density requirement. Because the home is placed to the far left of the lot, a very wide expanse of the lot continues for several hundred feet. Though narrow, it can accommodate the requested duplex. This area of Northwest Street has only a few homes. While the proposed density for Lot 2 at 5317 ft. per unit is a short of the 7500 ft. required in GRA, it does meet the general purposes of the GRA area by providing approximately 8 units per acre, within the 5-12 guidelines set forth under the general purposes. It is also consistent with the larger area of Northwest Street and Maplewood Avenue where there are numerous homes on very small lots, very close to the lot line. Since this proposal will provide relatively affordable housing in downtown Portsmouth, there is no fair and substantial relationship between the density requirement and its application in this instance.

Setbacks are intended to provide adequate space between homes, sightlines, and area for stormwater treatment. The Lot 1 setbacks for front and rear are very close to lot lines and will not change. The Lot 2 setbacks are similar and exist due to the narrowness of the lot. Given the location abutting the bypass, the substantial width of the lot, there is ample separation of neighbors, space between homes, sightlines and area for stormwater management, which will be vetted by the Planning Board via the subdivision process. Accordingly, there is no justifiable reason to apply the strict requirements of the ordinance.

c. The proposed use is reasonable.

Duplexes are permitted in the GRA zone. The proposed duplex density is consistent with the area. The front and rear setbacks are very close to the setbacks for the existing home. Numerous other homes in the general area are on small lots and close to lot lines. As such, this residential use in a residential zone is reasonable.

5. **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, LP v. Parade Residents Hotel, LLC 162 NH

508(2011). That is, “any loss to the[applicant] not outweighed by again to the general public is an injustice.” Malachy Glen, supra at 109.

The extreme width of the subject lot with the existing home far to the left, leaves a large expanse of land lying fallow. Given its location immediately abutting the bypass, a duplex, which will permit the owners to sell the lot, and the applicant to build the homes, will provide two families with relatively affordable housing in downtown Portsmouth. Since the immediate area of Northwest Street has relatively few homes, while the overall area from Northwest Street to Maplewood Avenue is very dense, allowing the subdivision and variances to build the duplex will cause no harm whatsoever to the general public. Denial, however, will prevent the owners from selling a portion of the lot, and will prevent the applicant from providing, and potential residents from owning brand-new construction at reasonable cost in downtown Portsmouth. Clearly, there is no benefit to the public from denial that outweighs the hardship to the applicant and the loss to the applicant far outweighs any gain to the general public.

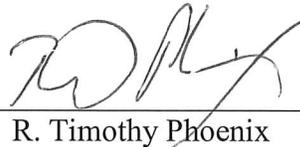
V. **Conclusion**

For all the foregoing reasons, the property owners and applicant respectfully request that the zoning would grant all requested relief.

Respectfully submitted

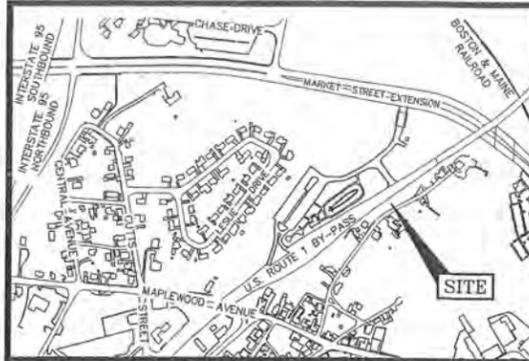
Darrell Moreau

By:



R. Timothy Phoenix

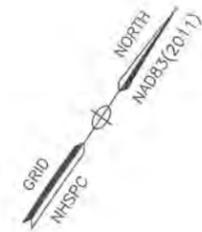
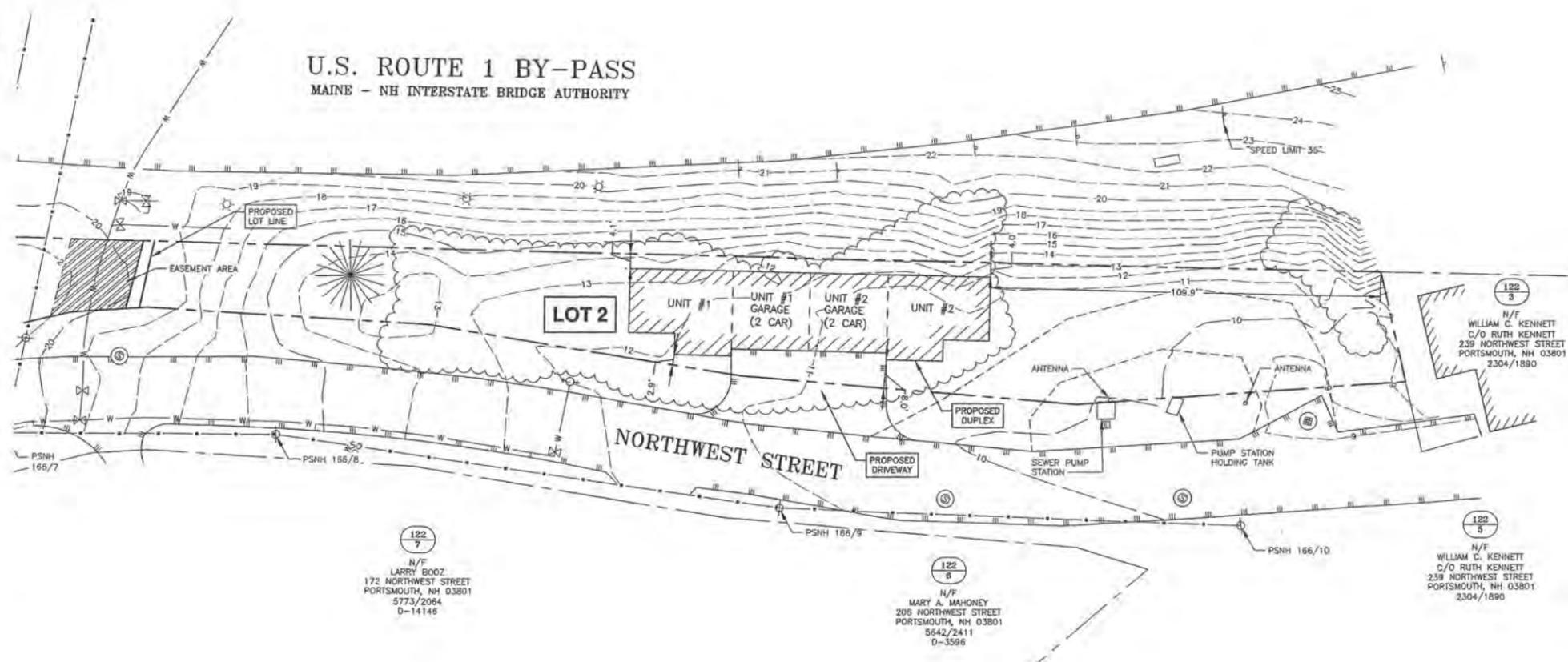
RTP/msw
Encl.



LOCATION MAP SCALE: 1" = 500'

LEGEND:

- N/F NOW OR FORMERLY
- RP RECORD OF PROBATE
- RCRD ROCKINGHAM COUNTY
- REGISTRY OF DEEDS
- MAP 11 / LOT 21
- BOUNDARY
- SETBACK
- RAILROAD SPIKE FOUND
- IRON ROD/PIPE FOUND
- DRILL HOLE FOUND
- STONE/CONCRETE BOUND FOUND
- RAILROAD SPIKE SET
- IRON ROD SET
- DRILL HOLE SET
- GRANITE BOUND SET
- SEWER LINE
- GAS LINE
- STORM DRAIN
- WATER LINE
- UNDERGROUND ELECTRIC
- OVERHEAD ELECTRIC/WIRES
- CONTOUR
- SPOT ELEVATION
- EDGE OF PAVEMENT (EP)
- WOODS / TREE LINE
- UTILITY POLE (w/ GUY)
- GAS SHUT OFF
- WATER SHUT OFF/CURB STOP
- GATE VALVE
- HYDRANT
- METER (GAS, WATER, ELECTRIC)
- CATCH BASIN
- TELEPHONE MANHOLE
- SEWER MANHOLE
- DRAIN MANHOLE
- AIR CONDITIONER UNIT
- SIGNS
- ASBESTOS CEMENT PIPE
- CAST IRON PIPE
- CORRUGATED METAL PIPE
- CONCRETE MASONRY UNIT
- COPPER PIPE
- DUCTILE IRON PIPE
- PVC POLYVINYL CHLORIDE PIPE
- RCP REINFORCED CONCRETE PIPE
- VC VITRIFIED CLAY PIPE
- EL ELEVATION
- EP EDGE OF PAVEMENT
- F.F. FINISHED FLOOR
- INV. INVERT
- TBM TEMPORARY BENCHMARK
- TYP. TYPICAL
- VCC/SOC VERTICAL/SLOPED GRANITE CURB
- CCB CAPE COD BERM
- LSA LANDSCAPED AREA

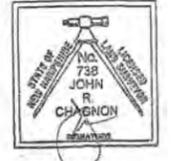


AMBIT ENGINEERING, INC.
Civil Engineers & Land Surveyors
890 Griffin Road - Unit 3
Portsmouth, N.H. 03801-7114
Tel (603) 436-9282
Fax (603) 436-2015

- NOTES:**
- 1) PARCEL IS SHOWN ON THE CITY OF PORTSMOUTH ASSESSOR'S MAP 122 AS LOT 2.
 - 2) OWNERS OF RECORD:
GREGORY J. MORNEAULT
AMANDA B. MORNEAULT
137 NORTHWEST STREET
PORTSMOUTH, N.H. 03801
 - APPLICANT:
DARRELL MOREAU
18 JACKSON HILL ROAD
PORTSMOUTH, NH 03801
 - 3) PARCEL IS NOT IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON FIRM PANEL 33015C0259E. EFFECTIVE DATE MAY 17, 2005.
 - 4) EXISTING LOT AREA:
18,134 S.F.
0.4163 ACRES
 - PROPOSED LOT AREAS:
LOT #1 7,500 S.F. 0.1722 ACRES
LOT #2 10,634 S.F. 0.2441 ACRES
 - 5) THE PURPOSE OF THIS PLAN IS TO SHOW THE SUBDIVISION OF ONE LOT INTO TWO LOTS.
 - 6) ZONING DISTRICTS:
GENERAL RESIDENCE A (GRA) AND HISTORIC DISTRICT.
 - 7) DIMENSIONAL REQUIREMENTS:
LOT AREA: 7,500 S.F.
FRONTAGE: 100'
DEPTH: 70'
SETBACKS: FRONT: 15', SIDE: 10', REAR: 20'.
MAXIMUM STRUCTURE HEIGHT: 35'
MAXIMUM BUILDING COVERAGE: 25%
MINIMUM OPEN SPACE: 30%
 - 8) PROPOSED LOT 2 DIMENSIONAL CALCULATIONS:
LOT AREA: 10,634 S.F.
FRONTAGE: 357'
DEPTH: 19' (MINIMUM)
34' (MIDPOINT)
SETBACKS:
FRONT: 2.9'
SIDE: 109.9'
REAR: 4.0'
STRUCTURE HEIGHT: <35'
BUILDING COVERAGE: 2,204 S.F. (21%)
OPEN SPACE: 7,430 S.F. (70%)

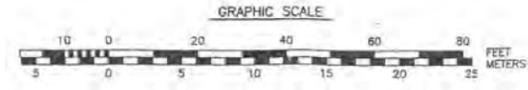


NO.	DESCRIPTION	DATE
3	ZONING INFO; BUILDING	10/22/20
2	REVISED FOOTPRINT	10/20/20
1	ADDED ZONING REQUIREMENTS	10/13/20
0	ISSUED FOR COMMENT	9/30/20



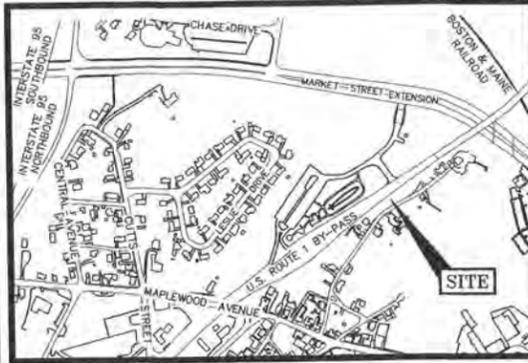
SCALE 1" = 20' SEPTEMBER 2020

VARIANCE PLAN **C1**



APPROVED BY THE PORTSMOUTH ZONING BOARD

CHAIRMAN _____ DATE _____



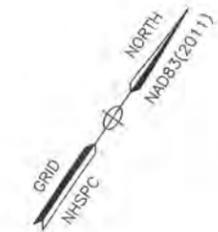
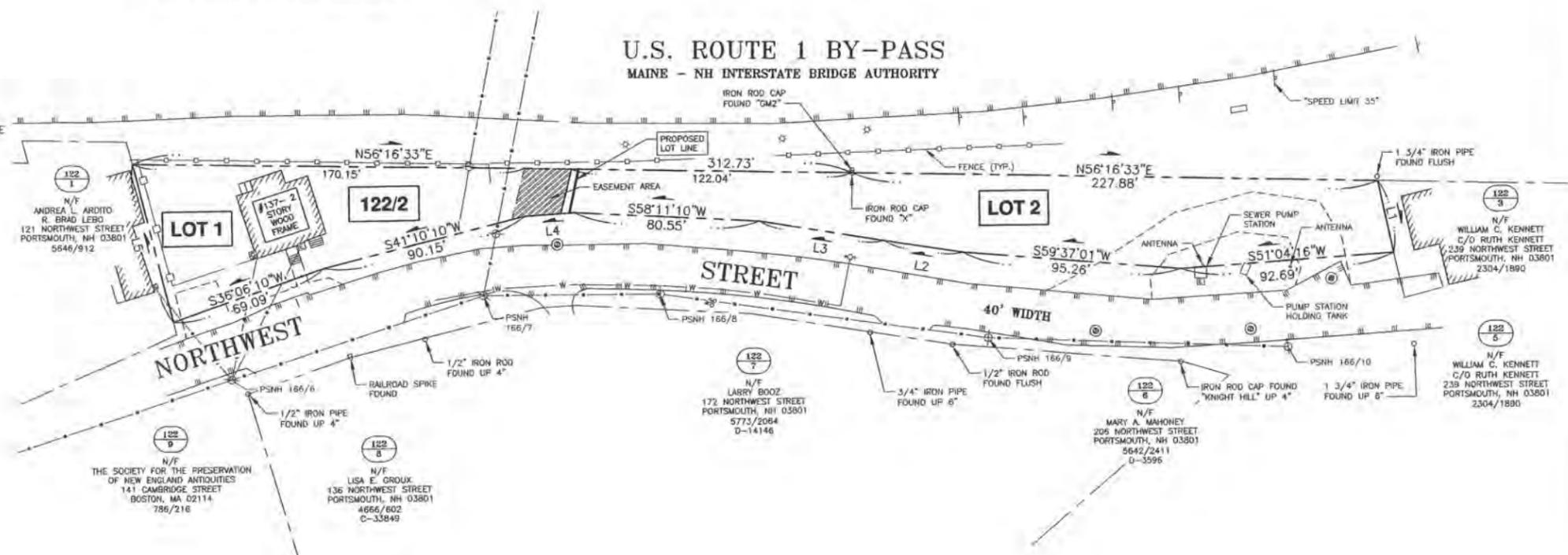
LOCATION MAP SCALE: 1" = 500'

PLAN REFERENCES:

- 1) MAINE NEW HAMPSHIRE INTERSTATE BRIDGE AUTHORITY PISCATAQUA RIVER BRIDGE KITTERY, MAINE - PORTSMOUTH, NEW HAMPSHIRE RIGHT OF WAY MAP - N.H. APPROACH, SCALE: 1" = 50', PREPARED BY HARRINGTON AND CORTELYOU CONSULTING ENGINEERS KANSAS CITY, MO., DATED DECEMBER 1936, SHEET 1 OF 11, NOT RECORDED
- 2) MAINE - NEW HAMPSHIRE INTERSTATE BRIDGE AUTHORITY PISCATAQUA RIVER BRIDGE KITTERY, MAINE - PORTSMOUTH, NEW HAMPSHIRE RIGHT OF WAY MAPS N.H. APPROACH, RE-SURVEYED BY MOULTON ENGINEERING CO. KITTERY, MAINE 1954, SCALE: 1" = 50', SHEET 1 OF 5, NOT RECORDED
- 3) US ROUTE 1 BYPASS & SUBMARINE WAY RIGHT OF WAY LAYOUT PLANS CITY OF PORTSMOUTH JULY 17, 2019, OWNER OF RECORD: STATE OF NEW HAMPSHIRE, STATE PROJECT NO. 13455, SCALE: 1" = 50', PREPARED BY GM2 ASSOCIATES, SHEETS 3 & 4 OF 6, RCRD D-41603
- 4) PLAN OF LAND PORTSMOUTH, N.H. FOR ESTATE OF GRACE L. HOYT, SCALE: 1" = 20' DATED DEC. 1972 REV. MAR. 1973, PREPARED BY JOHN W. DURGIN CIVIL ENGINEERS, RCRD D-3598
- 5) CONDOMINIUM SITE PLAN FOR GENTRY REALTY TRUST 172 NORTHWEST STREET COUNTY OF ROCKINGHAM PORTSMOUTH, N.H. SCALE: 1" = 20', DATED SEPT. 11, 1985 REV OCT. 1, 1985, PREPARED BY RICHARD P. MILLETTE AND ASSOCIATES, SHEET 1 OF 3, RCRD D-14146
- 6) STANDARD PROPERTY SURVEY AND CONDOMINIUM SITE PLAN OF LAND OF LOT 4 TAX MAP U-22 250 NORTHWEST STREET PORTSMOUTH, NEW HAMPSHIRE COUNTY OF ROCKINGHAM, SCALE: 1" = 10', DATED 9-9-96, PREPARED BY CIVILWORKS DOVER, N.H., RCRD D-24961
- 7) PLAN OF LAND IN THE NAME OF THE SUSAN M. REED REVOCABLE TRUST OF TAX MAP 122 / LOT 6 LOCATED AT #136 NORTHWEST STREET COUNTY OF ROCKINGHAM PORTSMOUTH, NH, SCALE: 1" = 20' DATED MAY 23, 2006, PREPARED BY DAVID W. VINCENT, LLS RCRD C-33849

LEGEND:

- N/F NOW OR FORMERLY
- RP RECORD OF PROBATE
- RCRD ROCKINGHAM COUNTY
- RR SPK REGISTRY OF DEEDS
- MAP 11/LOT 21 RAILROAD SPIKE
- IR FND IRON ROD FOUND
- IP FND IRON PIPE FOUND
- IR SET IRON ROD SET
- DH FND DRILL HOLE FOUND
- DH SET DRILL HOLE SET
- NHFB NHDOT BOUND FOUND
- TB TOWN BOUND
- BND W/DH BOUND WITH DRILL HOLE
- ST BND W/DH STONE BOUND WITH DRILL HOLE



I CERTIFY THAT THIS PLAN WAS PREPARED UNDER MY DIRECT SUPERVISION, THAT IT IS THE RESULT OF A FIELD SURVEY BY THIS OFFICE AND HAS AN ACCURACY OF THE CLOSED TRAVERSE THAT EXCEEDS THE PRECISION OF 1:15,000.

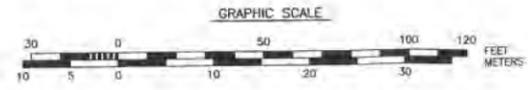
John R. Chagnon
JOHN R. CHAGNON, LLS 738

10-22-20
DATE



APPROVED BY THE PORTSMOUTH PLANNING BOARD

CHAIRMAN _____ DATE _____



LENGTH TABLE

LINE	BEARING	DISTANCE
L1	S 47°28'51" E	31.75'
L2	S 64°01'21" W	34.26'
L3	S 64°19'54" W	54.79'
L4	S 51°20'10" W	21.35'
L5	N 49°16'35" W	70.45'

EASEMENT LENGTH TABLE

LINE	BEARING	DISTANCE
E1	N 56°16'33" E	20.54'
E2	S 20°36'02" E	19.73'
E3	S 51°20'10" W	15.48'
E4	S 41°10'10" W	5.99'
E5	N 20°36'02" W	22.71'

NOTES:

- 1) PARCEL IS SHOWN ON THE CITY OF PORTSMOUTH ASSESSOR'S MAP 122 AS LOT 2.
- 2) OWNERS OF RECORD:
GREGORY J. MORNEAULT
AMANDA B. MORNEAULT
137 NORTHWEST STREET
PORTSMOUTH, N.H. 03801

APPLICANT:
DARRELL MOREAU
18 JACKSON HILL ROAD
PORTSMOUTH, NH 03801
- 3) PARCEL IS NOT IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON FIRM PANEL 33015C0259E, EFFECTIVE DATE MAY 17, 2005
- 4) EXISTING LOT AREA:
18,134 S.F.
0.4163 ACRES

PROPOSED LOT AREAS:
LOT #1 7,500 S.F. 0.1722 ACRES
LOT #2 10,634 S.F. 0.2441 ACRES
- 5) THE PURPOSE OF THIS PLAN IS TO SHOW THE SUBDIVISION OF ONE LOT INTO TWO LOTS.
- 6) ZONING DISTRICTS:
GENERAL RESIDENCE A (GRA) AND HISTORIC DISTRICT
- 7) DIMENSIONAL REQUIREMENTS:
LOT AREA: 7,500 S.F.
FRONTAGE: 100'
DEPTH: 70'
SETBACKS: FRONT: 15', SIDE: 10', REAR: 20'
MAXIMUM STRUCTURE HEIGHT: 35'
MAXIMUM BUILDING COVERAGE: 25%
MINIMUM OPEN SPACE: 30%
- 8) PROPOSED LOT 1 DIMENSIONAL CALCULATIONS:
LOT AREA: 7,500 S.F.
FRONTAGE: 179'
DEPTH: 19' (MINIMUM)
39' (MIDPOINT)
SETBACKS:
FRONT: 13.8'
SIDE: 40.5'
REAR: 1.8'
BUILDING COVERAGE: 1,029 S.F. - 14%
OPEN SPACE: 6,246 S.F. - 83%

NO.	DESCRIPTION	DATE
2	ZONING INFO; SETBACKS	10/22/20
1	ADDED ZONING REQUIREMENTS	10/13/20
0	ISSUED FOR COMMENT	9/30/20

REVISIONS

SUBDIVISION PLAN
TAX MAP 122 - LOT 2
OWNERS:
GREGORY J. MORNEAULT & AMANDA B. MORNEAULT
137 NORTHWEST STREET
CITY OF PORTSMOUTH
COUNTY OF ROCKINGHAM
STATE OF NEW HAMPSHIRE

Blue Betsy Duplex - 2 Car Garage

810.224 (10/7/2020)

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603-431-9559



Dear Builders and Home Buyers,

In addition to our Terms and Conditions (the "Terms"), please be aware of the following:

This design may not yet have Construction Drawings (as defined in the Terms), and is, therefore, only available as a Design Drawing (as defined in the Terms and together with Construction Drawings, "Drawings"). It is possible that during the conversion of a Design Drawing to a final Construction Drawing, changes may be necessary including, but not limited to, dimensional changes. Please see Plan Data Explained on www.ArtformHomePlans.com to understand room sizes, dimensions and other data provided. We are not responsible for typographical errors.

Artform Home Plans ("Artform") requires that our Drawings be built substantially as designed. Artform will not be obligated by or liable for use of this design with markups as part of any builder agreement. While we attempt to accommodate where possible and reasonable, and where the changes do not denigrate our design, any and all changes to Drawings must be approved in writing by Artform. It is recommended that you have your Drawing 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.

Facade Changes:

- 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 ceiling heights usually requires adjustments to window sizes and other exterior elements.

Floor plan layout and/or Structural Changes:

- Structural changes always require the express written consent of Artform
- If you wish to move or remove walls or structural elements (such as removal of posts, increases in house size, ceiling height changes, addition of dormers, etc), please do not assume it can be done without other additional changes (even if the builder or lumber yard says you can).

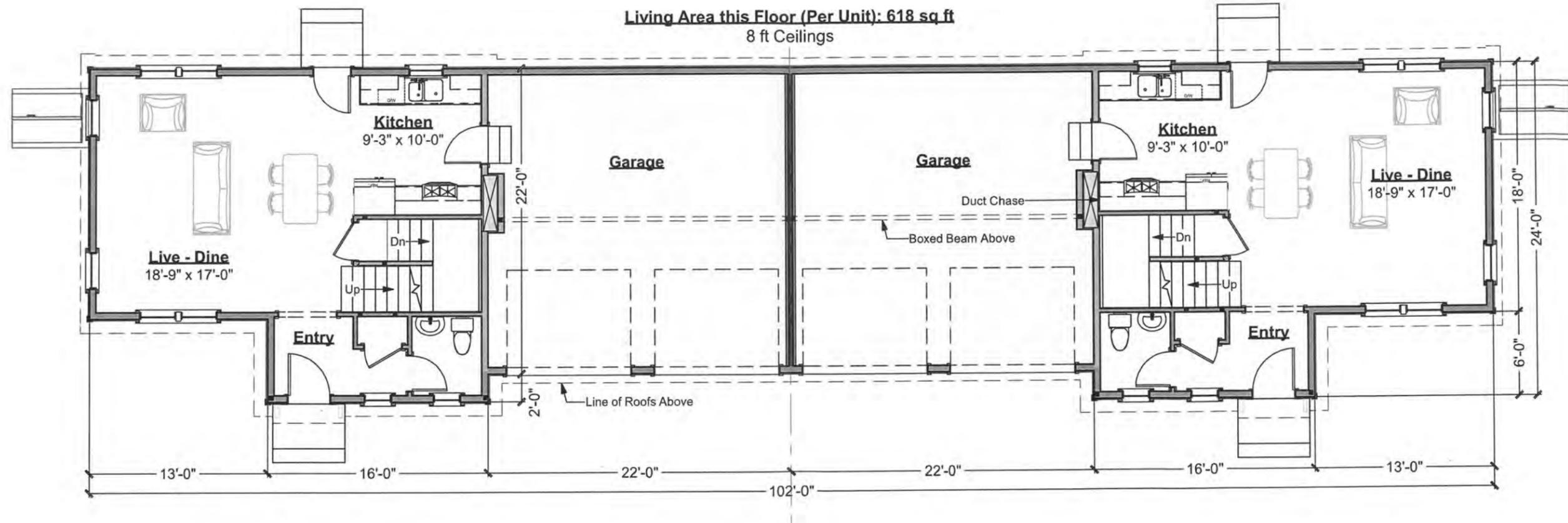
Blue Betsy Duplex - 2 Car Garage

810.224 (10/7/2020)

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603-431-9559



First Floor Plan

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

Blue Betsy Duplex - 2 Car Garage

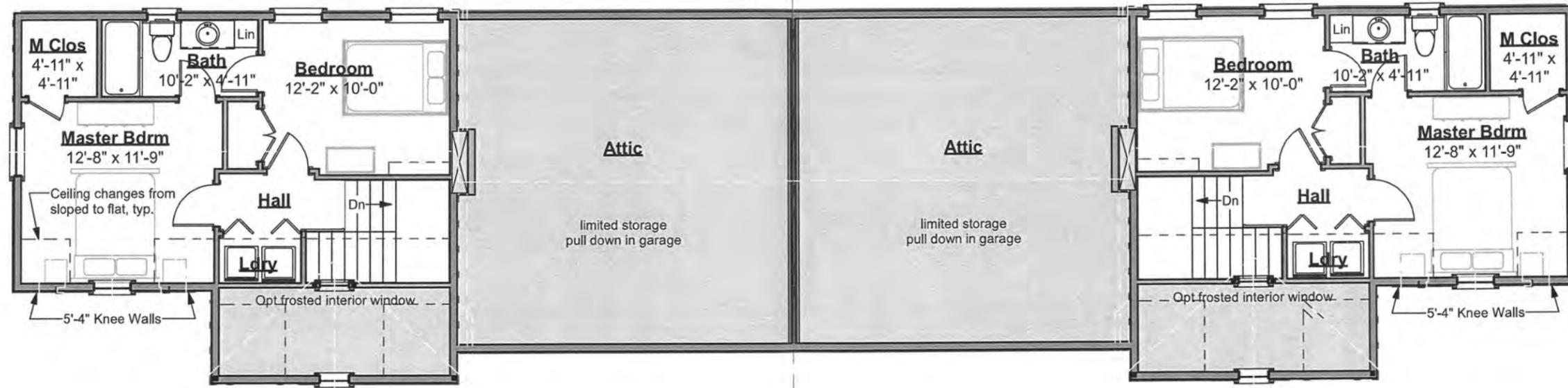
810.224 (10/7/2020)

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603-431-9559

Living Area this Floor (Per Unit): 519 sq ft
8 ft Ceilings



Second Floor Plan

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

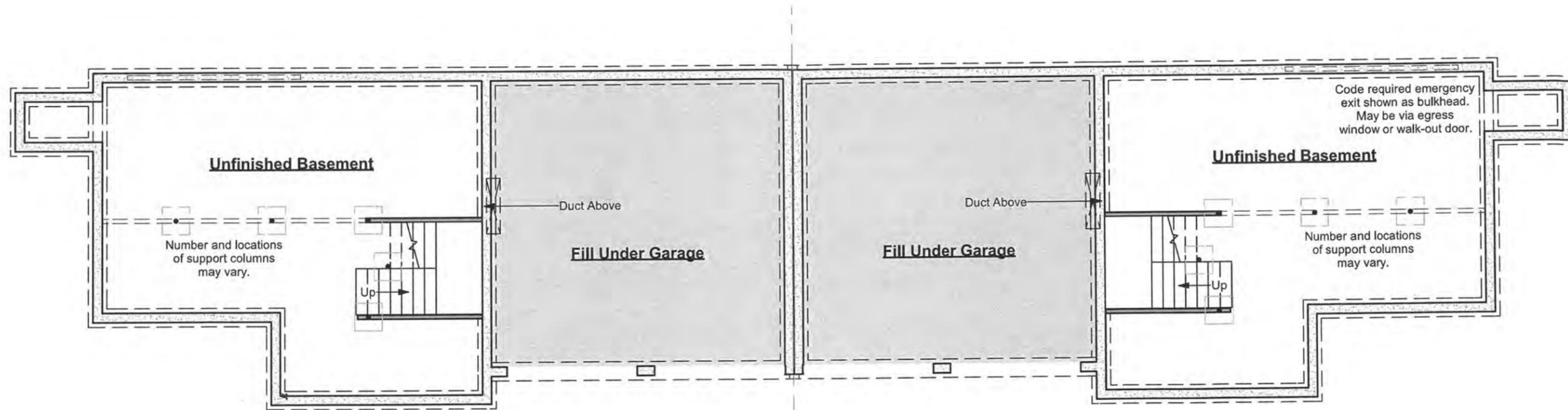
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IMPORTANT:

- Unless an area is specifically designed as "no posts", additional posts may be required.
- Unless specifically noted otherwise, basement beams will be framed below the floor joists.
- Basement spaces accommodate utilities, mechanical equipment and the horizontal movement of plumbing pipes, electrical wires and heating ducts. Both as part of any Construction Drawings produced based on this design and as future decisions made by the builder, changes to accommodate these items must be expected.
- Basement window locations are dependent on site conditions and utility locations. Clarify number and location with your builder.

Foundation Plan

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

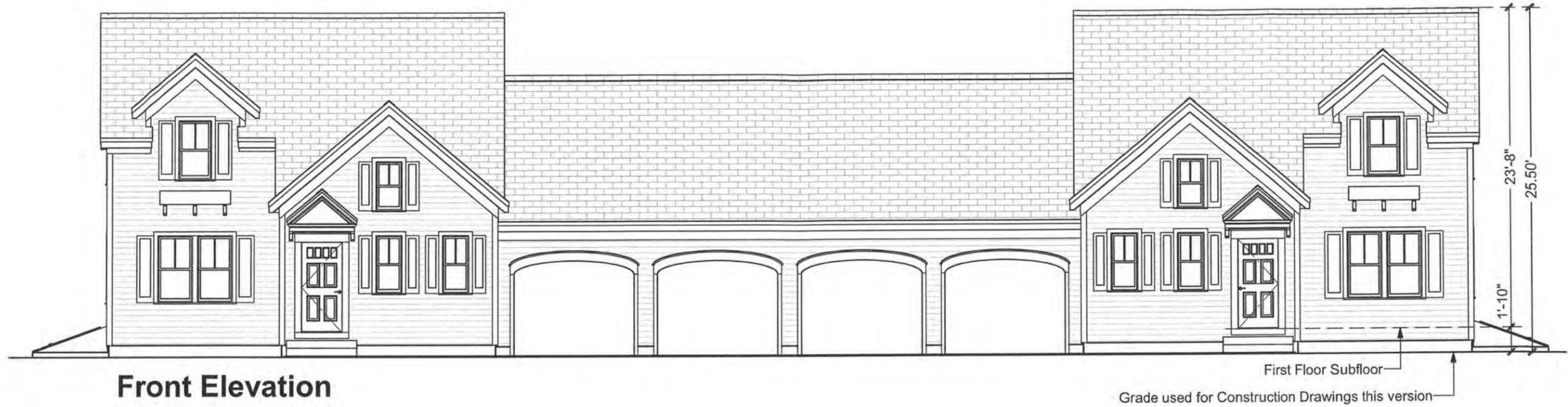
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Artform Home Plans

603-431-9559



Front Elevation

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



Right Elevation

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

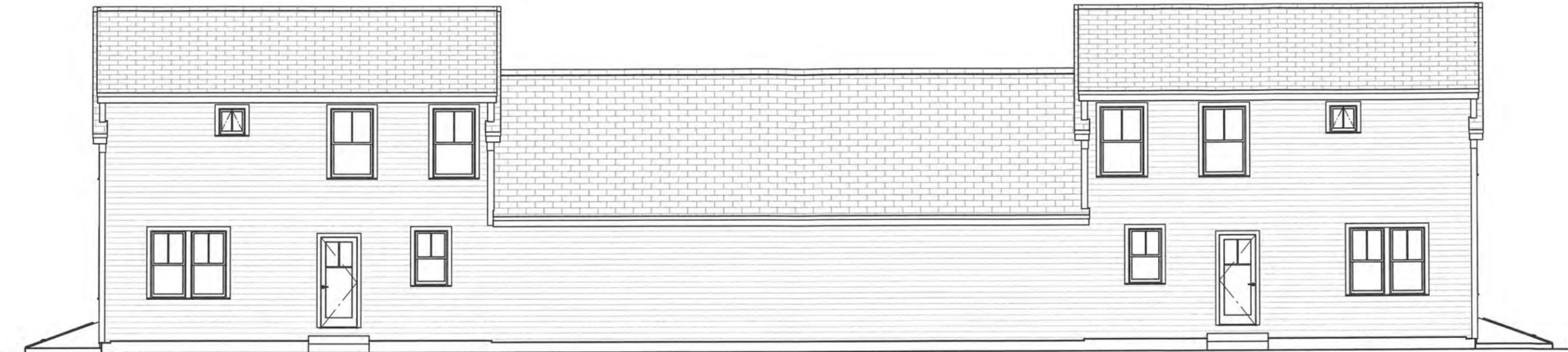
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Artform Home Plans

603-431-9559



Rear Elevation

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



Left Elevation

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

137 Northwest St



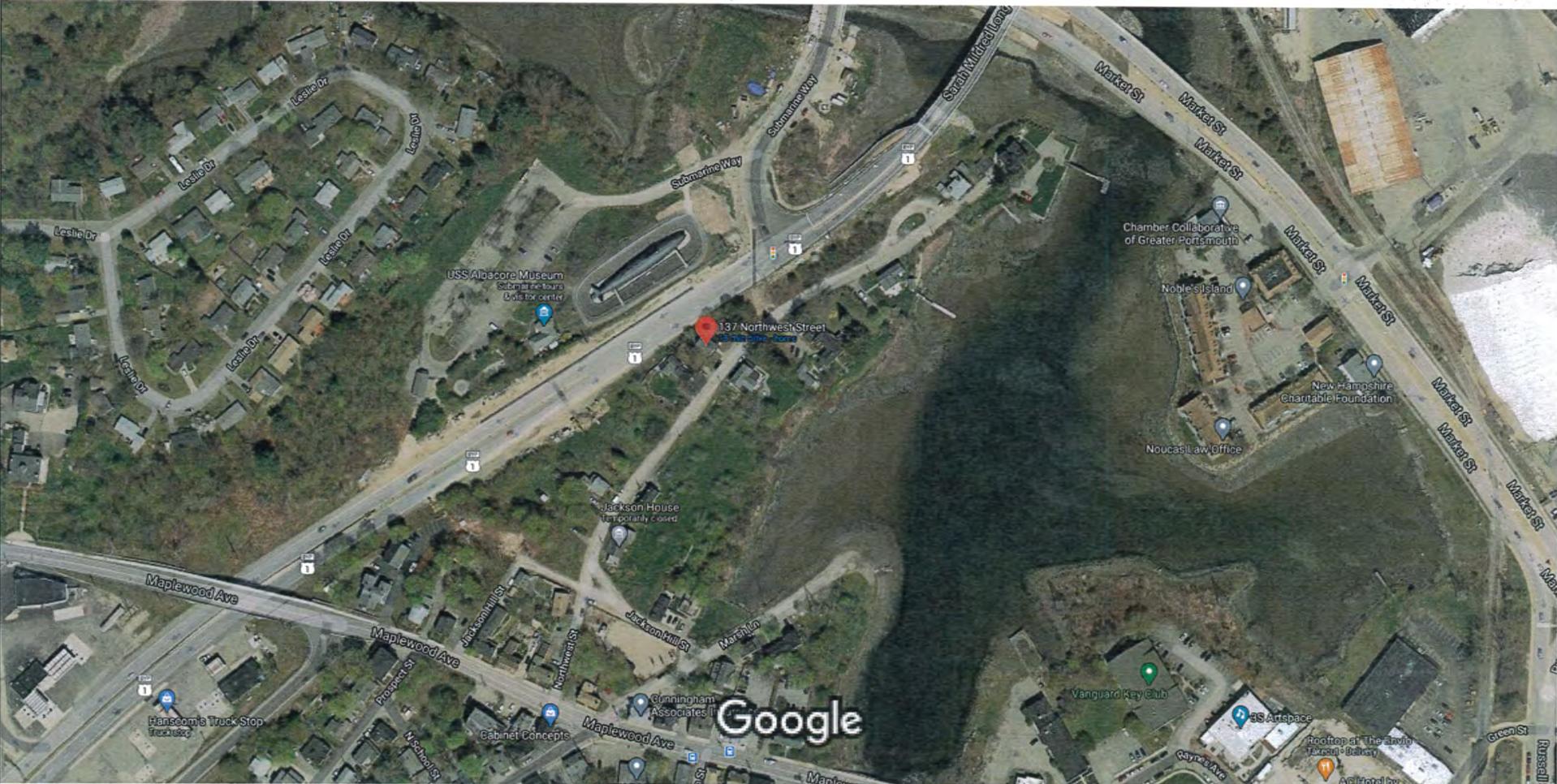
Imagery ©2020 Maine GeoLibrary, Maxar Technologies, U.S. Geological Survey, Map data ©2020 50 ft



Google Maps 137 Northwest St



Google Maps 137 Northwest St



Imagery ©2020 Maine GeoLibrary, Maxar Technologies, U.S. Geological Survey, USDA Farm Service Agency, Map data ©2020

100 ft 

Google Maps 136 Northwest St



Image capture: Sep 2011 © 2020 Google

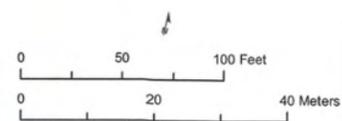




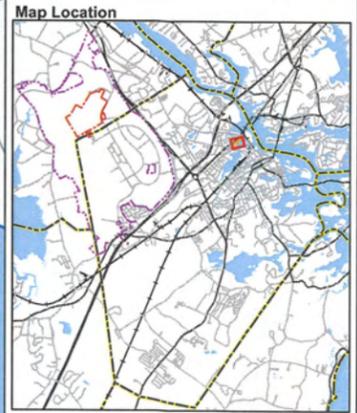


tabbles
EXHIBIT
4

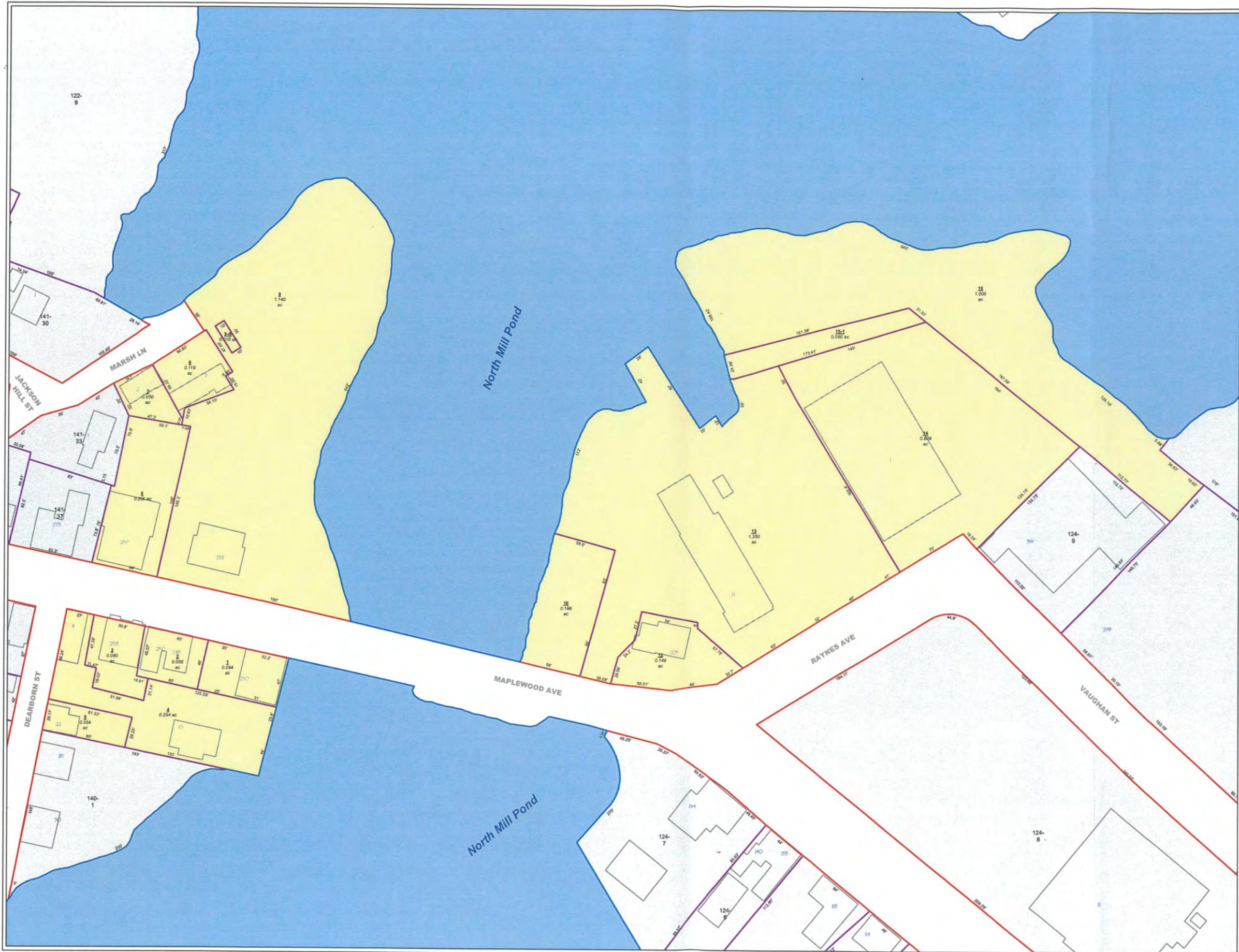
- Partial Legend**
 See the cover sheet for the complete legend.
- 7-5A Lot or lot-unit number
 - 2.56 ac Parcel area in acres (ac) or square feet (sf)
 - 25 Address number
 - 233-137 Parcel number from a neighboring map
 - 66 Parcel line dimension
 - HMS AVE Street name
 - Parcel/Parcel boundary
 -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



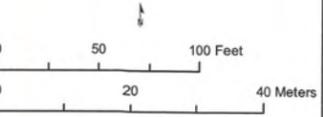
This map is for assessment purposes only. It is not intended for legal description or conveyance. Parcels are mapped as of April 1. Building footprints are 2006 data and may not represent current structures. Streets appearing on this map may be paper (unbuilt) streets. Lot numbers take precedence over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



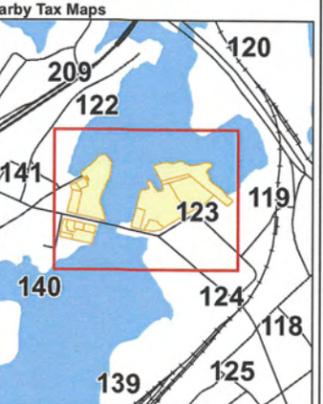
Portsmouth, New Hampshire
 2019
Tax Map 122



- 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)
 - 25 Address number
 - 233-137 Parcel number from a neighboring map
 - or Parcel line dimension
 - SIMS AVE Street name
- Parcel/Parcel boundary
 - Parcel/ROW boundary
 - Water boundary
 - Structure (1994 data)
- Parcel covered by this map
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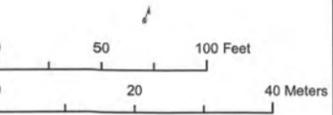
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Portsmouth, New Hampshire
 2019
Tax Map 123



- Partial Legend**
 See the cover sheet for the complete legend.
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 - SIMS AVE Street name
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137 Northwest Street in Context



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 4/1/2019
Data updated 7/17/2019

- Subject Lot
- Less than 7,500 s.f. Lot Area/dwelling
- Front or rear setback nonconformity
- Both nonconformities
- CD4L1/L2

1" = 180 ft