

BY: VIEWPOINT & HAND DELIVERY

September 26, 2023

City of Portsmouth
Attn: Stefanie Casella, Planner
Zoning Board of Adjustment
1 Junkins Avenue
Portsmouth, NH 03801

**RE: Variance Application of Sean and Andrea Creeley, Trustees
of the Creeley Family Trust
337 Richards Avenue, Tax Map 130, Lot 2**

Dear Stefanie,

Our Office represents Sean and Andrea Creeley, owners of the property located at 337 Richards Avenue, Portsmouth. Enclosed herewith, please find the following materials relative to the variance application submitted to the Board of Adjustment on behalf of the Creeleys through Viewpoint:

- 1) Landowner Letter of Authorization;
- 2) Narrative to Variance Application;
- 3) Existing and Proposed Conditions Plans;
- 4) Existing and Proposed Floor Plans and Elevations;
- 5) Photographs;

A copy of the above application materials is being delivered to the Planning Department. Should you have any questions or concerns regarding the enclosed application materials, do not hesitate to contact me at your convenience.

Sincerely,



Derek R. Durbin, Esq.

Conclusion

The Creeleys have demonstrated that their application meets the criteria for granting the variance request. As such, they respectfully request the Board's approval of the same.

Respectfully Submitted,

Dated: September 26, 2023

Sean and Andrea Creeley, Trustees



By: Derek R. Durbin, Esq.
DURBIN LAW OFFICES PLLC
144 Washington Street
Portsmouth, NH 03801
(603)-287-4764
derek@durbinlawoffices.com

**CITY OF PORTSMOUTH
ZONING APPLICATION NARRATIVE**

Sean W. and Andrea T. Creeley, Trustees
Creeley Family Trust
(Owner/Applicant)
Tax Map 130, Lot 2
337 Richards Avenue
Portsmouth, NH 03801

Introduction

Sean and Andrea Creeley are the owners of property located at 337 Richards Avenue in Portsmouth (the “Property”). The Property is a corner lot, situated at the intersection of Richards Avenue and Lincoln Avenue. It is located in the General Residence A (“GRA”) zoning district. The Property contains a relatively small, narrow two-story, single-family home built in 1900 that serves at the Creeleys residence. There is also a non-conforming detached garage and chicken coop on the Property situated along the easterly boundary that is accessed. The Creeley’s driveway runs along the easterly boundary and is accessed from Lincoln Avenue. Lincoln Avenue serves as the primary access to the Property.

The detached garage is quite small. It has a footprint of approximately 300 sq. ft. The garage has fallen into disrepair and shows signs of weather damage and rot throughout. It is generally in poor condition and suffers from physical and functional obsolescence. The garage has primarily served as storage for outdoor furniture, bikes and their children’s belongings. It is too small to fit a modern car and given its condition, it is not suitable for vehicular use.

Proposed Improvements & Required Variance Relief

In conjunction with a larger renovation and addition to their home, the Creeleys are proposing the demolition of the existing garage and chicken coop that encroach into the rear yard setback and the construction of a new single-vehicle garage with bedroom space above. A portion of the new garage structure would be situated within the rear yard setback. Due to the fact that the Property is a corner lot with frontage on two streets and has a Richards Avenue address, the easterly boundary is considered to be the rear yard rather than a side yard. This is significant given the 10’ difference in setback requirements. It is also significant since the City of Portsmouth has not taken a consistent approach in how it interprets what constitutes a side yard versus a rear yard with respect to corner lots. On several past applications similar to the Creeleys’ application, the City has determined that there is no rear yard on a corner lot property.

Variance Relief Sought

In order to construct the new garage in the proposed location, a variance is required from Section 10.521 to allow for a 12.5’ – 14.8’ rear yard setback where 20’ is the minimum required and 1.4’ – 2.6’ exists.

August Denial & *Fisher v. City of Dover*

On August 15, 2023, the Board denied a request for a 1.7' rear yard setback variance in connection with a proposed two-vehicle garage with bedroom space above.

Under the standards set forth by the New Hampshire Supreme Court in the case of Fisher v. City of Dover, unless a “material change of circumstances affecting the merits of the application has [] occurred” or the application is “materially differs in nature and degree from its predecessor,” the Board may not reach the merits of a subsequent application. 120 N.H. 187, 190 (1980).

The current variance request clearly meets the Fisher v. City of Dover standard to the extent that the Board feels compelled to discuss it before proceeding with the public hearing on Creeleys' application. The proposed garage is approximately half the size of what was previously proposed when the Board voted to deny the rear yard setback request in August. Moreover, the setback of the proposed garage is now 12.5' – 14.8' to the easterly boundary whereas 1.7' – 2.6' was previously proposed. For these reasons, the current request being considered by the Board is *materially different* in nature and degree than the application that was denied in August.

Variance Criteria

Granting the variance will not be contrary to the spirit and intent of the Zoning Ordinance or the public interest.

In the case of Chester Rod & Gun Club, Inc. v. Town of Chester, the Court noted that since the provisions of all ordinances represent a declaration of public interest, any variance will, in some measure, be contrary to the ordinance, but to be contrary to the public interest or injurious to public rights of others, "the variance must 'unduly, and in a marked degree' conflict with the ordinance such that it violates the ordinance's 'basic zoning objectives.'" "Id. The Court observed that “[t]here are two methods of ascertaining whether granting a variance would violate an ordinance’s basic zoning objectives: (1) examining whether granting the variance would alter the essential character of the neighborhood or, in the alternative; and (2) examining whether granting the variance would threaten the public health, safety, or welfare.” Id.

The proposed garage is designed to align architecturally with the existing house and mudroom/living room addition. It will be the minimum width necessary to accommodate one (1) modern vehicle and to provide some much-needed bedroom space above. From the outside, the existing home looks larger than it actually is due to the turret (tower) design element, expansive wraparound porch, bay window features and ornate exterior detailing. The reality is that the existing home is relatively narrow in width (20'-6") side to side) and the living space is compartmentalized into rooms that are relatively small by current standards. The kitchen is 11' x 9', the dining room is 11 x 10', the living room is 13'-10" x 12'3", and the bedrooms are 9' x 12". There is no true primary bedroom in the home.

In considering whether granting the variance is consistent with the public interest and spirit of the Ordinance, it is important to consider the purpose(s) of the 20' rear setback restriction. All building setback restrictions are intended to prevent homes and other structures from getting too close to each other and to preserve the *light, air and space* of abutting properties. However, rear yard setback requirements are often more stringent in residential zones than front or side yard setback requirements because they are intended to encourage usable back yard areas and open space corridors in the middle of neighborhood blocks.

With respect to the Creeley property, the area that is considered the rear yard is really the right side yard despite its legal designation. This side of the Property is also immediately adjacent to the right side yard of 192 Lincoln Avenue, thus there is no connection anyone else's back yard. The area of the Property that constitutes the right side yard is the Creeley's rear (back) yard as a result of the driveway and primary access to the home being off of Lincoln Avenue. The Creeley's proposed garage will be setback 12.5' – 14.8' from the easterly (rear) property boundary. It would be compliant if this area of the Property was considered to be the right side yard. The existing garage is only 1.4' – 2.6' from the rear boundary and would not be compliant regardless of yard orientation.

Approving the variance will result in an increase in the light, air and space of the abutting property at 192 Lincoln Avenue and an overall improvement from the existing conditions of the Property. It is important to point out that there is a 17' wide driveway on the property at 192 Lincoln Avenue immediately adjacent to the proposed garage that acts as an additional open space buffer between the properties. The separation distance between the proposed garage and the nearest structure on 192 Lincoln Avenue is greater than 30'.

For all of the aforementioned reasons, granting the variance will observe the purpose that the setback requirements were intended to serve while not negatively altering the essential character of the neighborhood or having an impact upon the public.

Substantial Justice will be done in granting the variance.

To determine whether substantial justice is done, the Board must balance the equities between the rights of a private landowner and the public interest in deciding whether to grant or deny a variance request. The “only guiding rule is that any loss to the individual that is not outweighed by a gain to the general public is an injustice.” New Hampshire Office of State Planning, *The Board of Adjustment in New Hampshire, A Handbook for Local Officials* (1997); [*Malachy Glen Assocs., Inc. v. Town of Chichester, 155 N.H. 102 \(2007\)*](#).

There would be no gain to the general public by denying the variance request. The only property that is potentially impacted by the variance request is 192 Lincoln Avenue. The owner of that property supports the Creeleys' application. Granting the variance will result in a more functional garage and some needed additional bedroom space without having any negative impact upon the abutting property. It will also bring the Property into much greater compliance with the rear yard setback requirement. It would be injustice to deny the relief sought given the unique conditions of the Property. The loss to the Creeleys in denying the variance request outweighs any potential gain to the public.

Surrounding property values will not be diminished by granting the variance.

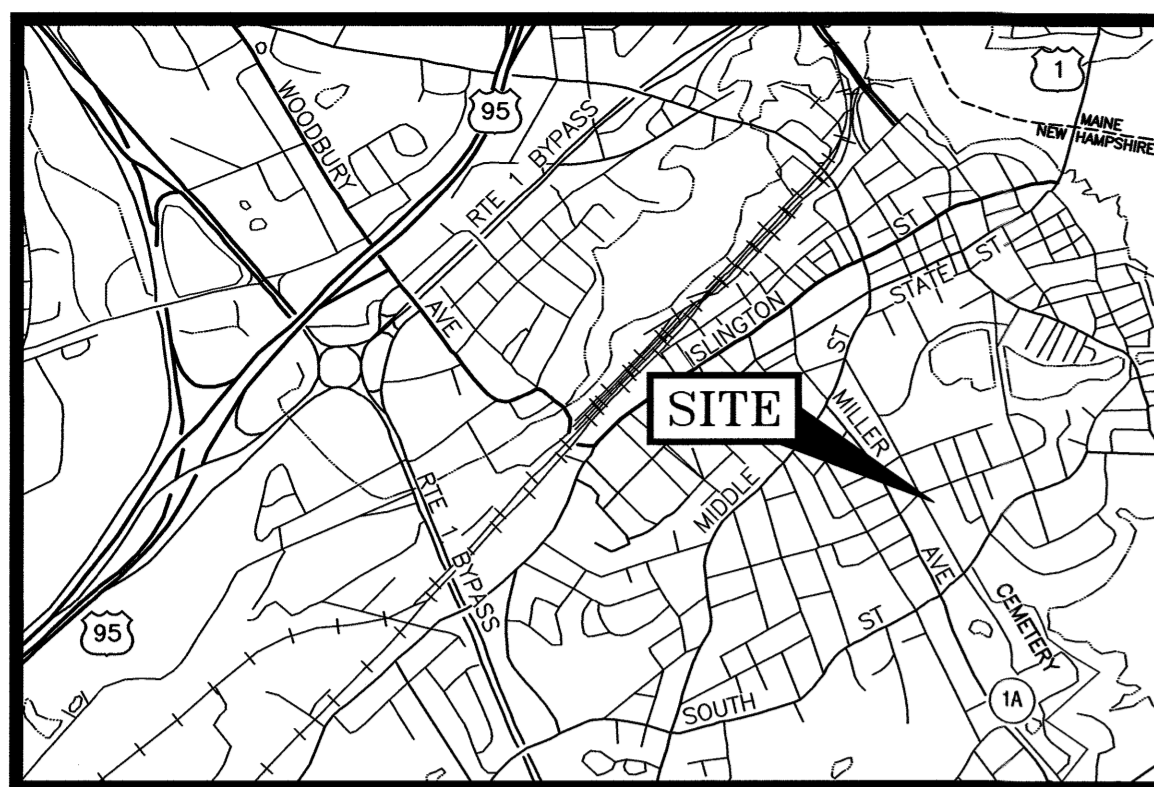
The Board is justified in relying upon its own knowledge and expertise to reach the conclusion that surrounding property values will either remain the same or improve if the variance request is granted. The existing garage is obsolete and sits almost directly on the common boundary with 192 Lincoln Avenue. This garage, along with the chicken coop that is also situated along the boundary with 192 Lincoln Avenue, will be demolished to make way for the new garage. The new garage will be setback 12.5' – 14.8' from the boundary with 192 Lincoln Avenue. The increased setback can only add value to that property, not take away from it.

Architecturally, the proposed garage will tie in naturally with the existing home and other improvements being made to it. Landscaping is also being added between the proposed garage and the property at 192 Lincoln Avenue to provide a vegetated buffer that does not presently exist. The garage has been designed to the minimum width necessary to support its intended use. The abutter's support of the proposed garage is further evidence that surrounding values will not be negatively impacted by granting the variance.

Literal enforcement of the Ordinance would result in an any unnecessary hardship.

The Property is a corner lot containing a single-family home, driveway and detached garage that were constructed before current zoning regulations were adopted. While the Property has a Richards Avenue address, access and other features of the Property is achieved from Lincoln Avenue. The area of the Property defined as the rear yard functions as a side yard while the area that is defined as the right side yard serves as the back yard. If the Property had a Lincoln Avenue address, the rear yard would be the left side yard and would be subject to a 10' setback versus a 20' setback. Under this scenario, no variance would be required for the proposed garage since it will have a 12.5' – 14.8' setback from the boundary. The primary purpose the more restrictive rear yard setback requirement was intended to serve cannot be met with the Creeley property due to the fact that the rear yard lines up with the right side yard of the abutting property at 192 Lincoln Avenue. There is no natural connection on this side of the Property to anyone else's rear yard. These unique conditions of the Property make it such that there is no fair and substantial relationship between the purpose the rear yard setback restriction was intended to serve and its relation to the Property.

The proposed use of the Property will remain the same and is permitted by right under Section 10.440 of the Ordinance. Therefore, the proposed use is reasonable.



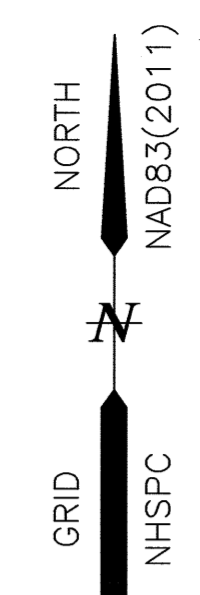
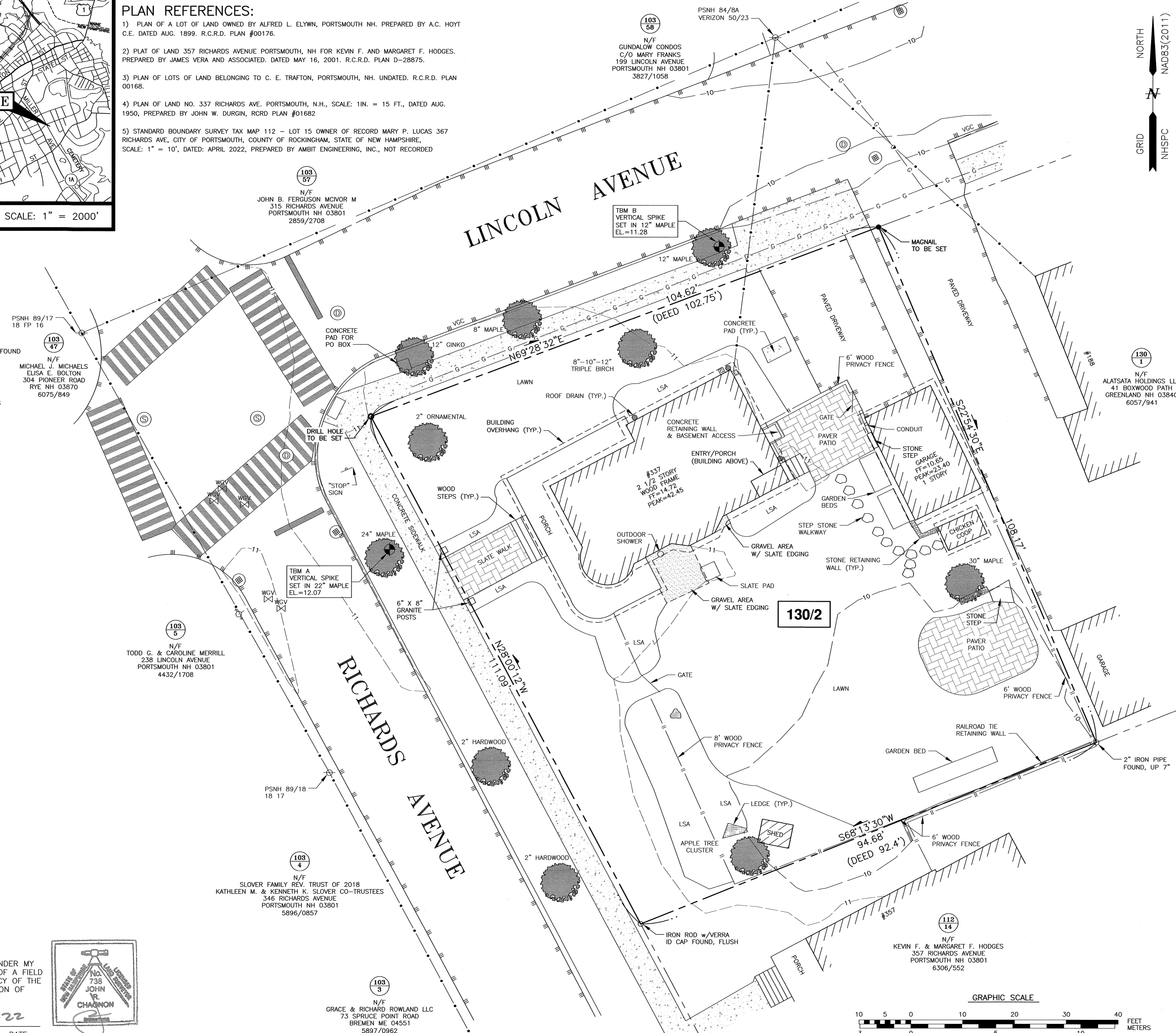
LOCATION MAP SCALE: 1" = 2000'

LEGEND:

- N/F NOW OR FORMERLY
- RP RECORD OF PROBATE
- RCRD ROCKINGHAM COUNTY REGISTRY OF DEEDS MAP 11 / LOT 21
- BOUNDARY
- SETBACK
- IRON ROD/PIPE FOUND
- DRILL HOLE FOUND
- STONE/CONCRETE BOUND FOUND
- S SEWER LINE
- G GAS LINE
- D STORM DRAIN
- W WATER LINE
- OVERHEAD ELECTRIC/WIRES
- CONTOUR
- EDGE OF PAVEMENT
- UTILITY POLE (w/ GUY)
- WATER GATE VALVE
- HYDRANT
- METER (GAS & ELECTRIC)
- CATCH BASIN
- SEWER MANHOLE
- DRAIN MANHOLE
- SIGNS
- EL ELEVATION
- F.F. FINISHED FLOOR
- TBM TEMPORARY BENCHMARK
- TYP. TYPICAL
- VGC VERTICAL GRANITE CURB
- LSA LANDSCAPED AREA
- DECIDUOUS TREE

PLAN REFERENCES:

- 1) PLAN OF A LOT OF LAND OWNED BY ALFRED L. ELYWN, PORTSMOUTH NH. PREPARED BY A.C. HOYT C.E. DATED AUG. 1899. R.C.R.D. PLAN #00176.
- 2) PLAT OF LAND 357 RICHARDS AVENUE PORTSMOUTH, NH FOR KEVIN F. AND MARGARET F. HODGES. PREPARED BY JAMES VERA AND ASSOCIATED. DATED MAY 16, 2001. R.C.R.D. PLAN D-28875.
- 3) PLAN OF LOTS OF LAND BELONGING TO C. E. TRAFTON, PORTSMOUTH, NH. UNDATED. R.C.R.D. PLAN 00168.
- 4) PLAN OF LAND NO. 337 RICHARDS AVE. PORTSMOUTH, N.H., SCALE: 1IN. = 15 FT., DATED AUG. 1950, PREPARED BY JOHN W. DURGIN, RCRD PLAN #01682
- 5) STANDARD BOUNDARY SURVEY TAX MAP 112 - LOT 15 OWNER OF RECORD MARY P. LUCAS 367 RICHARDS AVE, CITY OF PORTSMOUTH, COUNTY OF ROCKINGHAM, STATE OF NEW HAMPSHIRE. SCALE: 1" = 10', DATED: APRIL 2022, PREPARED BY AMBIT ENGINEERING, INC., NOT RECORDED



AMBIT ENGINEERING, INC.
Civil Engineers & Land Surveyors
200 Griffin Road - Unit 3
Portsmouth, N.H. 03801-7114
Tel (603) 430-9282
Fax (603) 436-2315

NOTES:

- 1) PARCEL IS SHOWN ON THE CITY OF PORTSMOUTH ASSESSOR'S MAP 130 AS LOT 2.
- 2) OWNERS OF RECORD:
CREELEY FAMILY TRUST
SEAN W. CREELEY &
ANDREA T. CREELEY TRUSTEES
337 RICHARDS AVENUE
PORTSMOUTH, NH 03801
5845/0990
R.C.R.D. PLAN# 01682
- 3) PARCEL IS NOT IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON FIRM PANEL 33015C0259F. EFFECTIVE DATE 1/29/2021.
- 4) EXISTING LOT AREA:
10,881 S.F.
0.2498 ACRES
- 5) PARCEL IS LOCATED IN (GRA) GENERAL RESIDENCE A ZONING DISTRICT.
- 6) DIMENSIONAL REQUIREMENTS:
MIN. LOT AREA: 7,500 S.F.
FRONTAGE: 100 FEET
SETBACKS:
FRONT: 15 FEET
SIDE: 10 FEET
REAR: 20 FEET
MAXIMUM STRUCTURE HEIGHT: 35 FEET
MAXIMUM BUILDING COVERAGE: 25 %
MINIMUM OPEN SPACE: 30 %
- 7) THE PURPOSE OF THIS PLAN IS TO SHOW THE RESULTS OF A STANDARD BOUNDARY AND TOPOGRAPHIC SURVEY OF ASSESSOR'S MAP 130 LOT 2 IN THE CITY OF PORTSMOUTH.
- 8) VERTICAL DATUM IS NAVD88. BASIS OF VERTICAL DATUM IS REDUNDANT RTN GNSS OBSERVATIONS.

NO.	DESCRIPTION	DATE
0	ISSUED FOR COMMENT	8/30/22
REVISIONS		

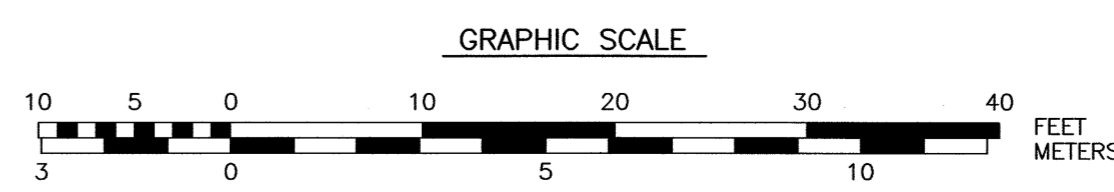
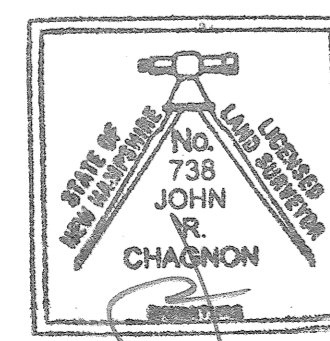
STANDARD BOUNDARY & TOPOGRAPHIC SURVEY
TAX MAP 130 - LOT 2

OWNER:
CREELEY FAMILY TRUST
337 RICHARDS AVENUE
CITY OF PORTSMOUTH
COUNTY OF ROCKINGHAM
STATE OF NEW HAMPSHIRE

SCALE: 1" = 10' AUGUST 2022

"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."

[Signature] 8-30-22
JOHN R. CHAGNON, LLS #738 DATE



SITE NOTES

DESIGN INTENT - THIS PLAN SET IS INTENDED TO DEPICT AN EXPANSION OF SINGLE FAMILY RESIDENCE.

- APPROXIMATE LOT AREA: 10,881 S.F.± (0.25 AC.±)
- ZONE: GENERAL RESIDENCE (GR)
OVERLAY ZONE: COASTAL AREA
- DIMENSIONAL REQUIREMENTS - (GRA) GENERAL RESIDENCE A

	REQUIRED	EXISTING	PROVIDED
MIN. LOT AREA:	7,500 S.F.	10,881 SF	
MIN. STREET FRONTAGE:	100'	104.62'	
FRONT SETBACK:	15'		
LINCOLN AVE.		±15.8'	±15.8'
RICHARDS AVE.		±17.3'	±17.3'
SIDE SETBACK:	10'	±52.8'	±35.8'
REAR SETBACK:	20'	±1.4'	±12.5'
- MAX. BUILDING HEIGHT: 35' < 32' < 35'
- MAX. BUILDING COVERAGE: 25% 15.5% (1,689 SF) 24.9% (2,707 SF)
- MIN. OPEN SPACE: 30% 71.9% (7,827 SF) 68.4% (7,443 SF)
- BASIS OF BEARING IS PER NH STATE PLANE COORDINATE SYSTEM NAD83(2011).
- ELEVATION DATUM NAVD88.
- PARCEL IS NOT IN A SPECIAL FLOOD HAZARD AREA PER FEMA FIRM MAP NUMBER 33015C0259F, MAP REVISED 1/29/21.
- ALL CONSTRUCTION SHALL MEET THE MINIMUM STANDARDS OF THE CITY OF PORTSMOUTH & NHDOT'S STANDARD SPECIFICATION FOR ROAD & BRIDGE CONSTRUCTION, LATEST EDITIONS. THE MORE STRINGENT SPECIFICATION SHALL GOVERN.

PLAN REFERENCE:

- "STANDARD BOUNDARY & TOPOGRAPHIC SURVEY, TAX MAP 130 - LOT 2, FOR CREELEY FAMILY TRUST, 337 RICHARDS AVENUE, CITY OF PORTSMOUTH, NH", DATED 8/30/22, BY AMBIT ENGINEERING, INC.

NOT FOR CONSTRUCTION

ISSUED FOR: REVIEW

ISSUE DATE: SEPTEMBER 21, 2023

NO.	DESCRIPTION	BY	DATE
0	REVIEW	EDW	10/21/23

DRAWN BY: RMB
APPROVED BY: EDW
DRAWING FILE: 5432SITE.DWG

SCALE:
(22"x34") 1" = 10'
(11"x17") 1" = 20'

OWNER/APPLICANT:

CREELEY FAMILY TRUST
SEAN W. & ANDREA T. CREELEY
TRUSTEES
337 RICHARDS AVENUE
PORTSMOUTH, NH 03801

PROJECT:

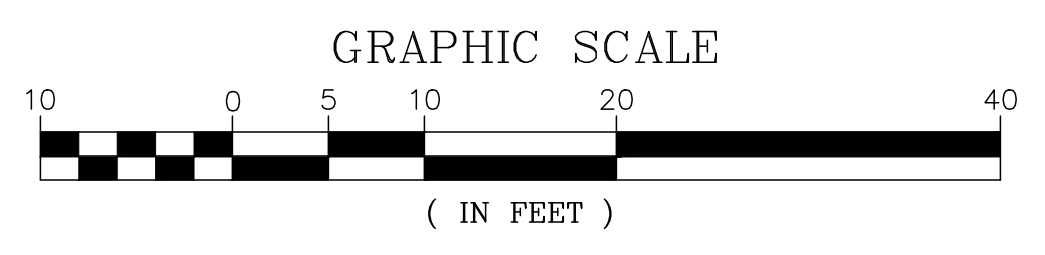
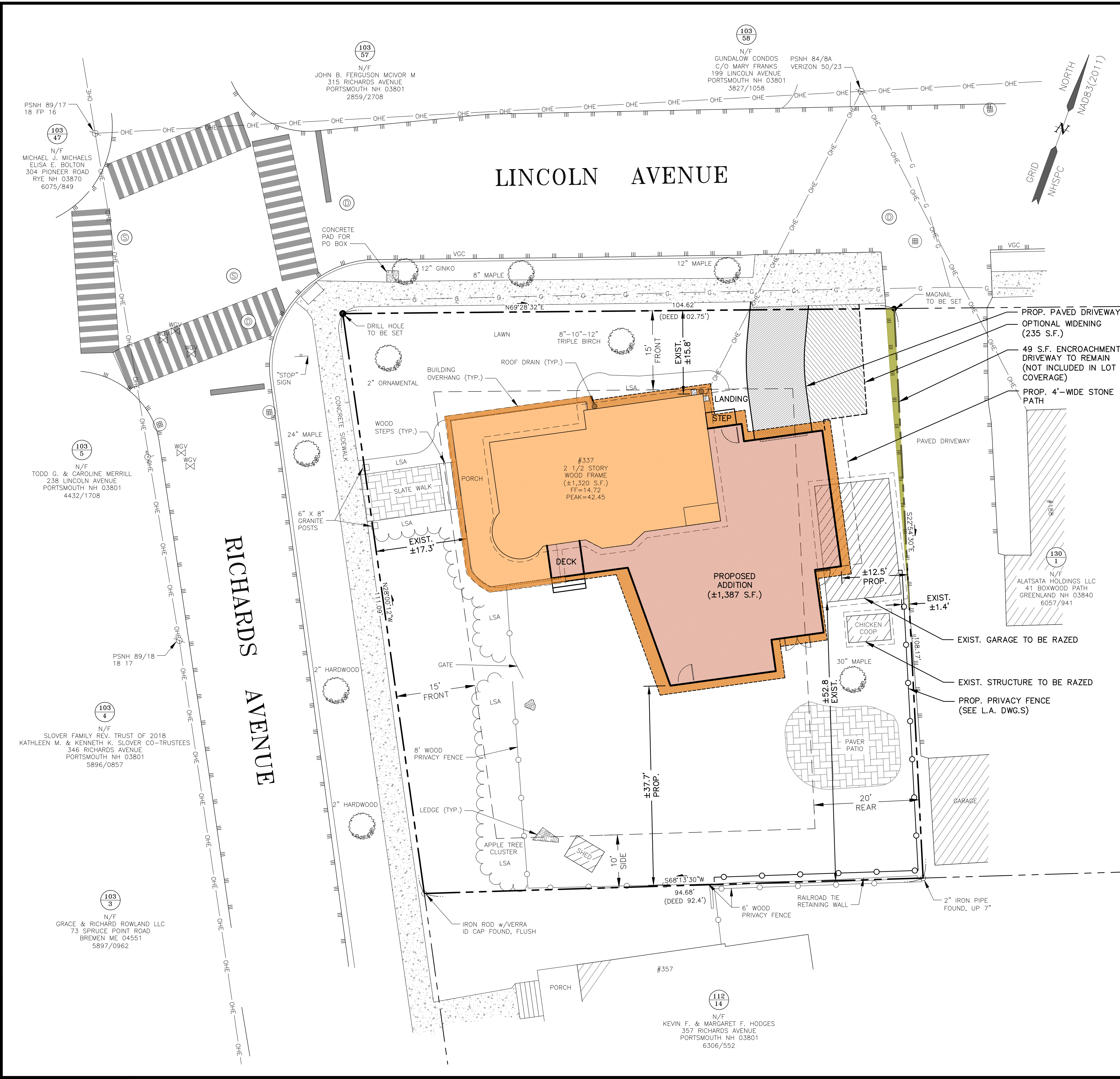
CREELEY
RESIDENCE
EXPANSION
TAX MAP 130 LOT 2
337 RICHARDS AVENUE
PORTSMOUTH, NH

TITLE:

SITE PLAN

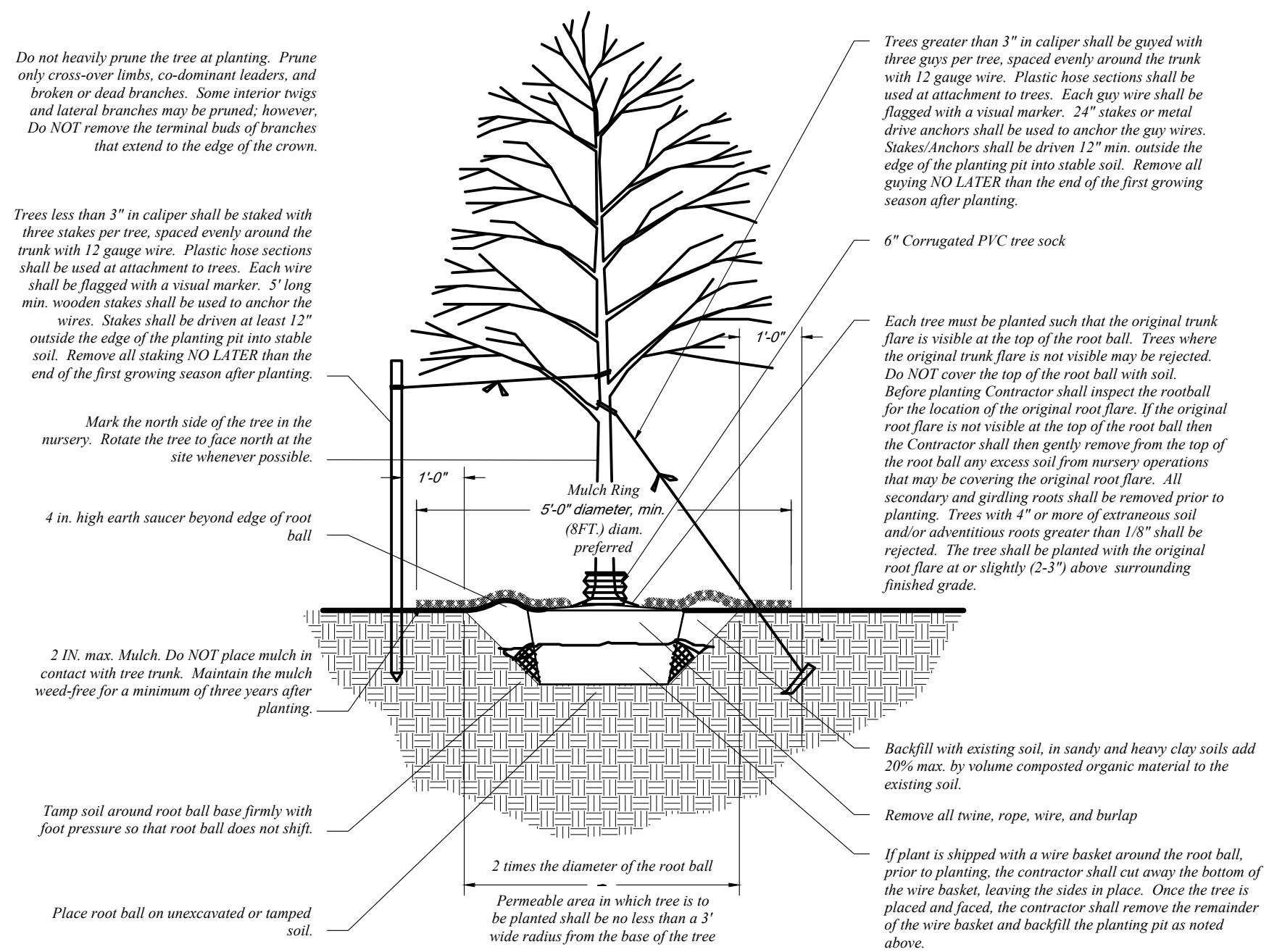
SHEET NUMBER:

C - 1



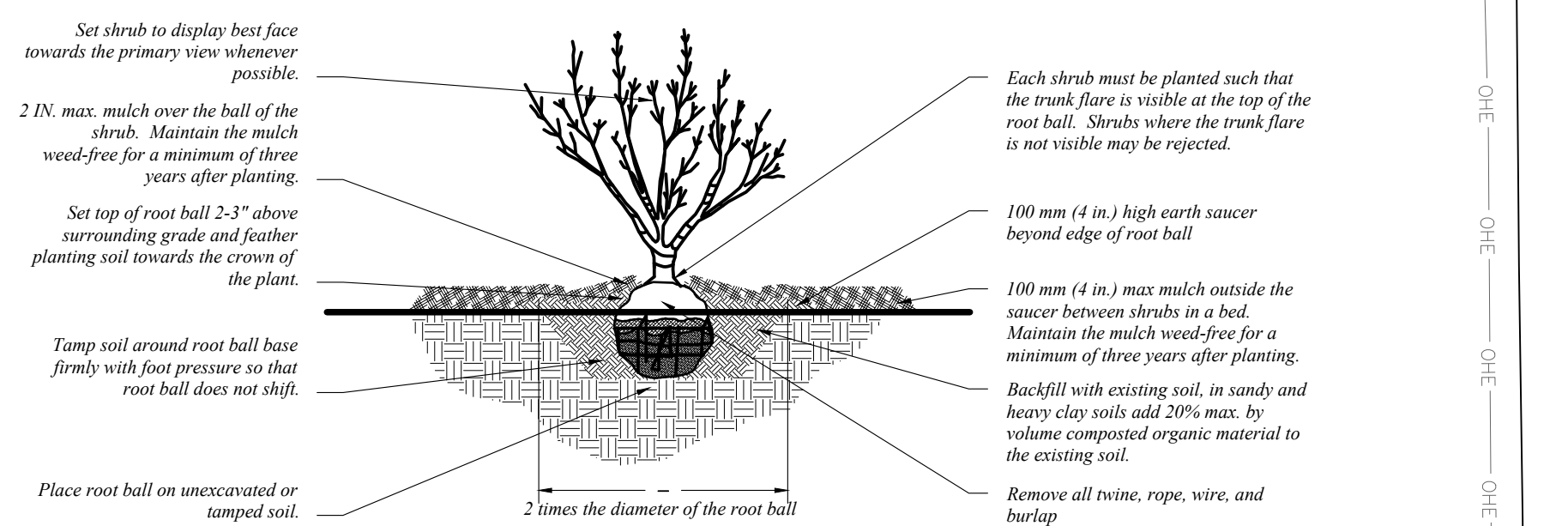
Landscape Notes

- Design is based on Engineering drawings by Altus Engineering dated 06-26-2023 and Architectural Drawings by Somma Studios. Drawings may require adjustment due to actual field conditions.
- This plan is FOR REVIEW purposes ONLY, NOT for Construction. Construction Documents will be provided upon request.
- The contractor shall follow best management practices during construction and shall take all means necessary to stabilize and protect the site from erosion.
- Erosion Control shall be in place prior to construction.
- Erosion Control shall comply with State and Local Erosion & Sedimentation Control Practices
- The Contractor shall verify layout and grades and inform the Landscape Architect or Client's Representative of any discrepancies or changes in layout and/or grade relationships prior to construction.
- It is the contractor's responsibility to verify drawings provided are to the correct scale prior to any bid, estimate or installation. A graphic scale bar has been provided on each sheet for this purpose. If it is determined that the scale of the drawing is incorrect, the landscape architect will provide a set of drawings at the correct scale, at the request of the contractor.
- Remain within the construction zone shall be protected from damage for the duration of the project by snow fence or other suitable means of protection to be approved by Landscape Architect or Client's Representative. Snow fence shall be located at the drip line or at the distance in feet from the trunk equal to the diameter of the tree caliper in inches, whichever is greater, and shall be expanded to include any and all surface roots. Do not fill or mulch on the trunk flare. Do not disturb roots. In order to protect the integrity of the roots, branches, trunk and bark of the tree(s) no vehicles or construction equipment shall drive or park in or on the area within the drip line(s) of the tree(s). Do not store any refuse or construction materials or portalets within the tree protection area.
- Location, support, protection, and restoration of all existing utilities and appurtenances shall be the responsibility of the Contractor.
- The Contractor shall verify exact location and elevation of all utilities with the respective utility owners prior to construction. Call DIGSAFE at 811 or 888-DIG-SAFE (1-888-344-7233.)
- The Contractor shall procure any required permits prior to construction.
- Prior to any landscape construction activities Contractor shall test all existing loam and loam from off-site intended to be used for lawns and plant beds using a thorough sampling throughout the supply. Soil testing shall indicate levels of pH, nutrients, macro and micro nutrients, texture, soluble salts, and organic matter. Contractor shall amend all soils to be used for lawns and plant beds per testing results' recommendations and review with Landscape Architect. All loam to be used on site shall be amended as approved by the Landscape Architect prior to placement.
- Contractor shall notify landscape architect or owner's representative immediately if at any point during demolition or construction a site condition is discovered which may negatively impact the completed project. This includes, but is not limited to, unforeseen drainage problems, unknown subsurface conditions, and discrepancies between the plan and the site. If a Contractor is aware of a potential issue and does not bring it to the attention of the Landscape Architect or Owner's Representative immediately, they may be responsible for the labor and materials associated with correcting the problem.
- The Contractor shall furnish and plant all plants shown on the drawings and lists thereon. All plants shall be nursery-grown under climatic conditions similar to those in the locality of the project. Plants shall conform to the botanical names and standards of size, culture, and quality for the highest grades and standards as adopted by the American Association of Nurserymen, Inc. in the American Standard of Nursery Stock, American Standards Institute, Inc. 230 Southern Building, Washington, D.C. 20005.
- A complete list of plants, including a schedule of sizes, quantities, and other requirements is shown on the drawings. In the event that quantity discrepancies or material omissions occur in the plant materials list, the planting plans shall govern.
- All plants shall be legibly tagged with proper botanical name.
- Owner or Owner's Representative will inspect plants upon delivery for conformity to Specification requirements. Such approval shall not affect the right of inspection and rejection during or after the progress of the work. The Owner reserves the right to inspect and/or select all trees at the place of growth and reserves the right to approve a representative sample of each type of shrub, herbaceous perennial, annual, and ground cover at the place of growth. Such sample will serve as a minimum standard for all plants of the same species used in this work.
- No substitutions of plants may be made without prior approval of the Owner or the Owner's Representative for any reason.
- All landscaping shall be provided with the following:
 - Outside hose attachments spaced a maximum of 150 feet apart, and
 - An underground irrigation system, or
 - A temporary irrigation system designed for a two-year period of plant establishment.
- If an automatic irrigation system is installed, all irrigation valve boxes shall be located within planting bed areas.
- The contractor is responsible for all plant material from the time their work commences until final acceptance. This includes but is not limited to maintaining all plants in good condition, the security of the plant material once delivered to the site, watering of plants, including seeding and weeding. Plants shall be appropriately watered prior to, during, and after planting. It is the Contractor's responsibility to provide clean water suitable for plant health from off site, should it not be available on site.
- All disturbed areas will be dressed with 6" of loam and planted as noted on the plans or seeded except plant beds. Plant beds shall be prepared to a depth of 12" with 75% loam and 25% compost.
- Trees, ground cover, and shrub beds shall be mulched to a depth of 2" with one-year-old, well-composted, shredded native bark not longer than 4" in length and 3/4" in width, free of woodchips and sawdust. Mulch for ferns and herbaceous perennials shall be no longer than 1" in length. Trees in lawn areas shall be mulched in a 5' diameter min. saucer. Color of mulch shall be black.
- Drip strip shall extend to 6" min. beyond roof overhang and shall be edged with 3/16" thick metal edger.
- In no case shall mulch touch the stem of a plant nor shall mulch ever be more than 3" thick total (including previously applied mulch) over the root ball of any plant.
- Secondary lateral branches of deciduous trees overhanging vehicular and pedestrian travel ways shall be pruned up to a height of 8' to allow clear and safe passage of vehicles and pedestrians under tree canopy. Shrubs and ornamental plantings adjacent to vehicular travel way shall not exceed three feet in height where sightlines would be blocked. If pruning is necessary to maintain the required maximum height, plants shall be pruned to a natural form and shall not be sheared.
- Snow shall be stored a minimum of 5' from shrubs and trunks of trees.
- The Landscape Contractor shall guarantee all lawns and plant materials for a period of not fewer than one year. Dead, dying, or diseased planting shall be removed and replaced within the growing season.
- Landscape Architect is not responsible for the means and methods of the Contractor.



Tree Planting Detail

Scale: NTS

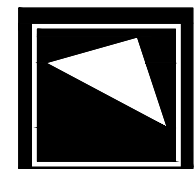
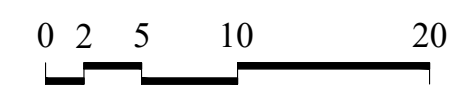
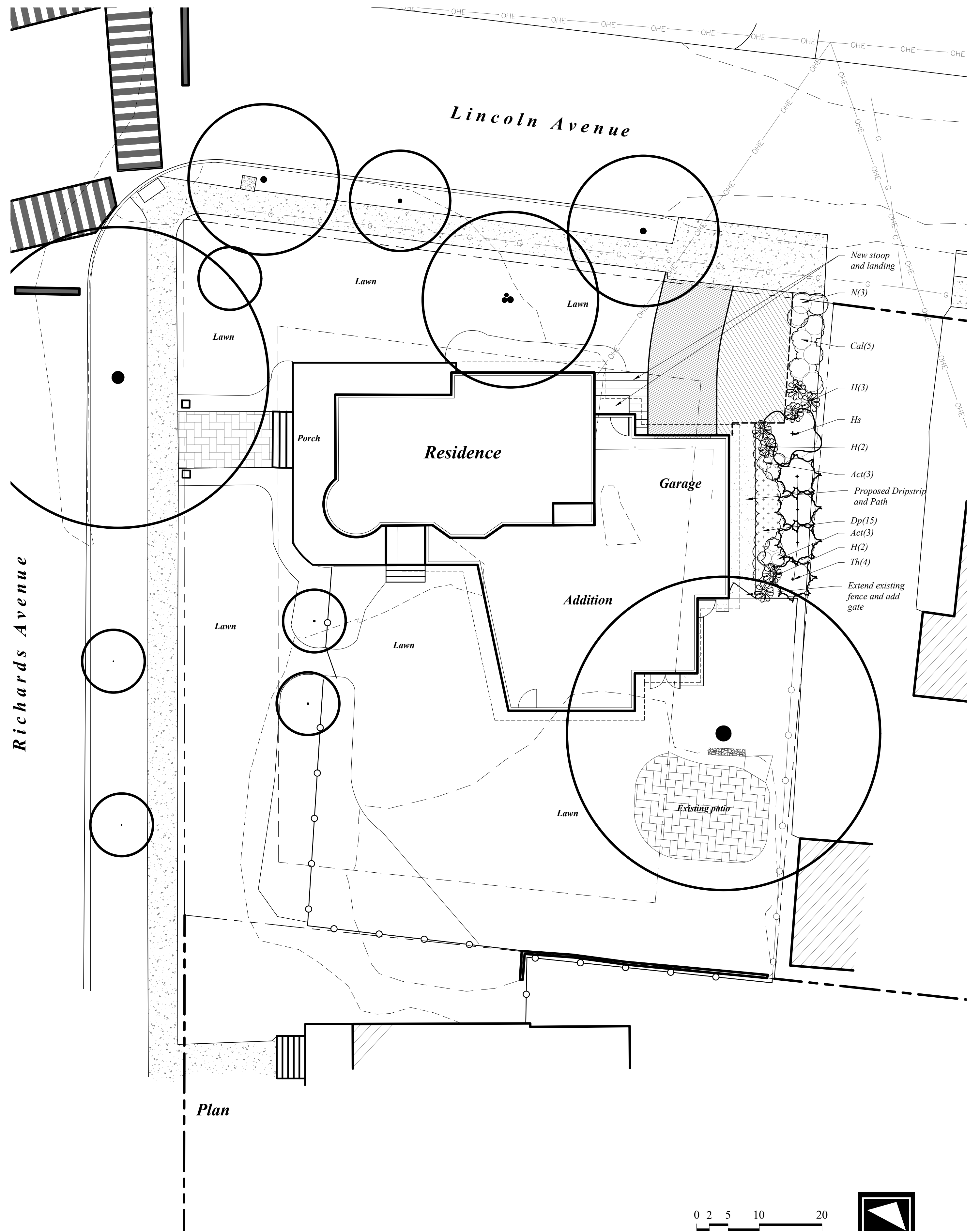


Shrub Planting Detail

Scale: NTS

Plant List

SHRUBS					
Symbol	Botanical Name	Common Name	Quantity	Size	Comments
Hs	<i>Hibiscus syriacus</i> 'Blue Satin'	Blue Satin Rose of Sharon	1	5-6' ht	BB
Th	<i>Thuja occidentalis</i> 'Wintergreen'	Wintergreen Arborvitae	4	6-7' ht.	BB
PERENNIALS					
Symbol	Botanical Name	Common Name	Quantity	Size	Comments
Act	<i>Actea ribnifolia</i>	Appalachian Bugbane	6	1 gal	
Cal	<i>Calamagrostis</i> a 'Karl Foerster'	Karl Foerster Feather Reed Grass	5	1 gal	
Dp	<i>Dennstaedtia punctiloba</i>	Hayscented Fern	15	1 gal	
H	<i>Hosta</i> 'Frances Williams'	Frances Williams Hosta	4	1 gal	
	<i>Hosta</i> 'Sieboldiana Elegans'	Elegans Hosta	3	1 gal	
N	<i>Nepeta</i> 'Walker's Low'	Walkers Low Catmint	3	1 gal	



woodburn & company
LANDSCAPE ARCHITECTURE
Neumarket, New Hampshire
Phone: 603.659.5949

337 Richards Avenue
LANDSCAPE PLAN
337 Richards Avenue, Portsmouth, NH

Drawn By: RW
Checked By: RW
Scale: 1"=10'-0"
Date: 2023-09-21
Revisions:

L-1
Sheet 1 of 1

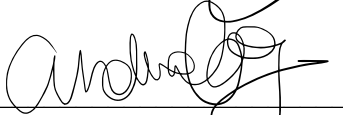
LANDOWNER LETTER OF AUTHORIZATION

Sean W. Creeley and Andrea T. Creeley, Trustees of the Creeley Family Trust, record owners of the property located at 337 Richards Avenue, Tax Map 130, Lot 2, Portsmouth, NH (the "Property"), hereby authorize **Durbin Law Offices, PLLC, Altus Engineering, Inc., and Somma Studios**, to file any zoning, planning or other municipal permit applications with the City of Portsmouth for said Property and to appear before its land use boards. This Letter of Authorization shall be valid until expressly revoked in writing.



Sean W. Creeley, Trustee

July 18, 2023



Andrea T. Creeley, Trustee

July 18, 2023



NORTHWEST ELEVATION
(LINCOLN AVENUE)



NORTHEAST ELEVATION



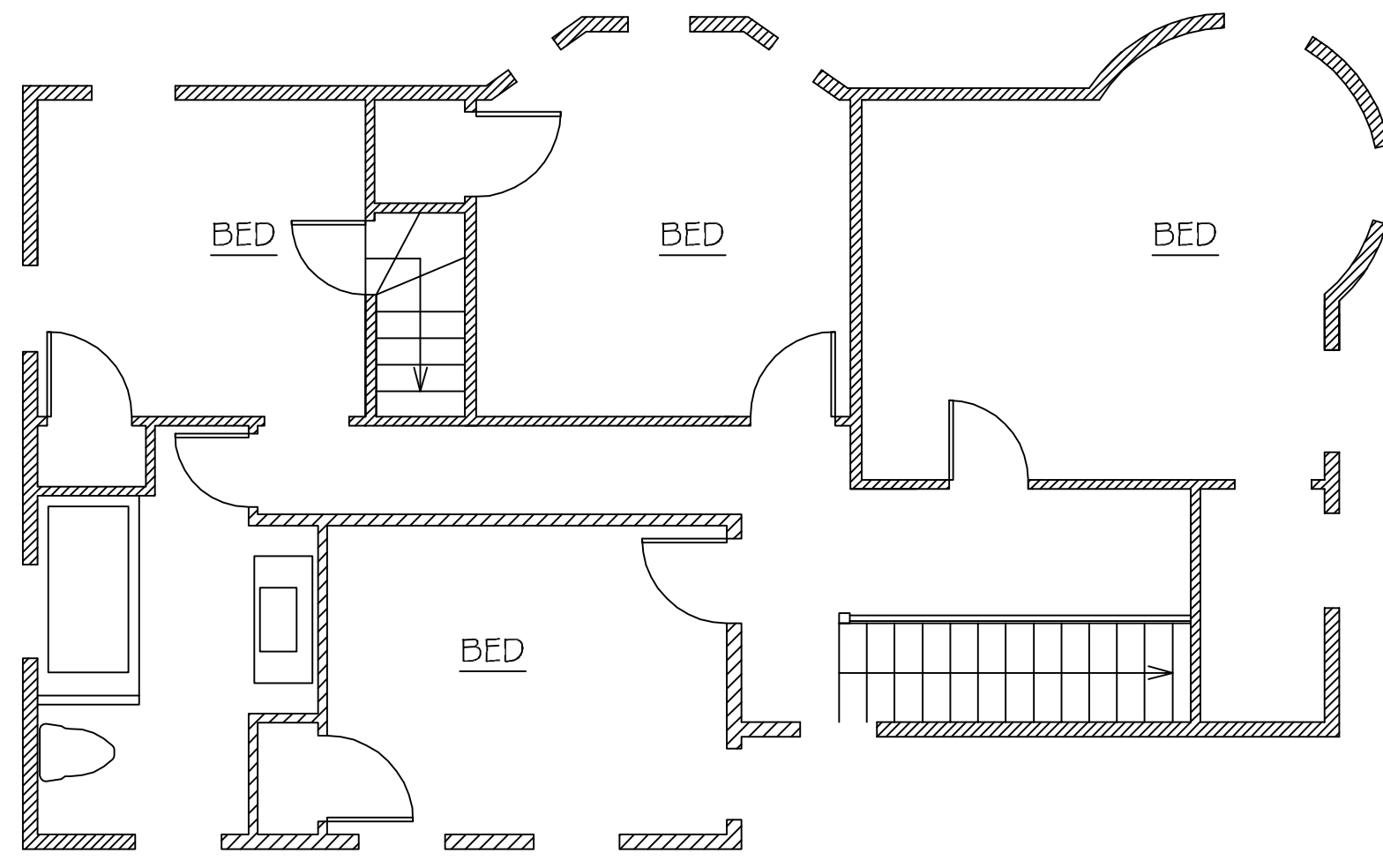
SOUTHEAST ELEVATION



SOUTHWEST ELEVATION
(RICHARDS AVENUE)

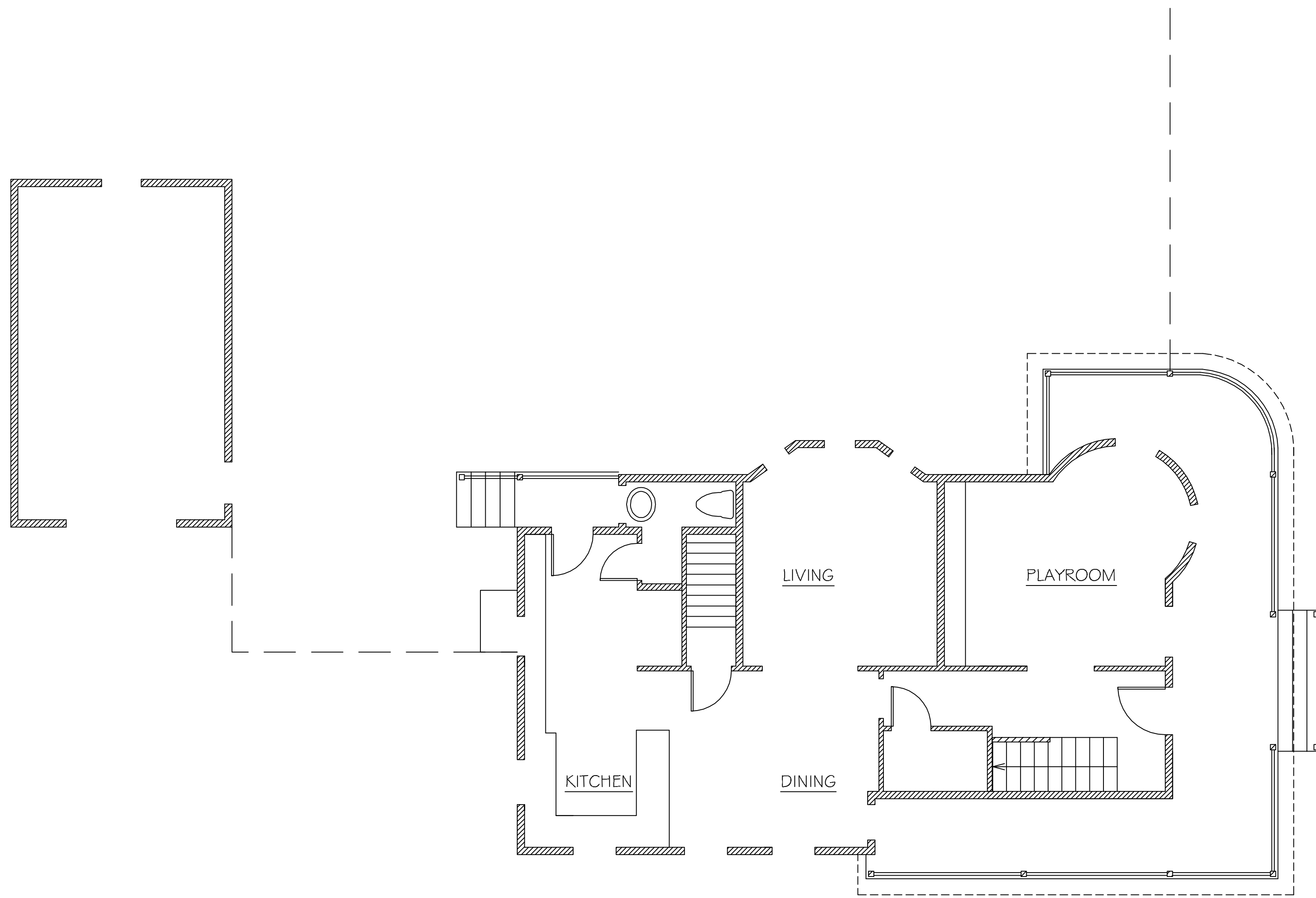
SECOND FLOOR

EXISTING FRAMING
NEW FRAMING



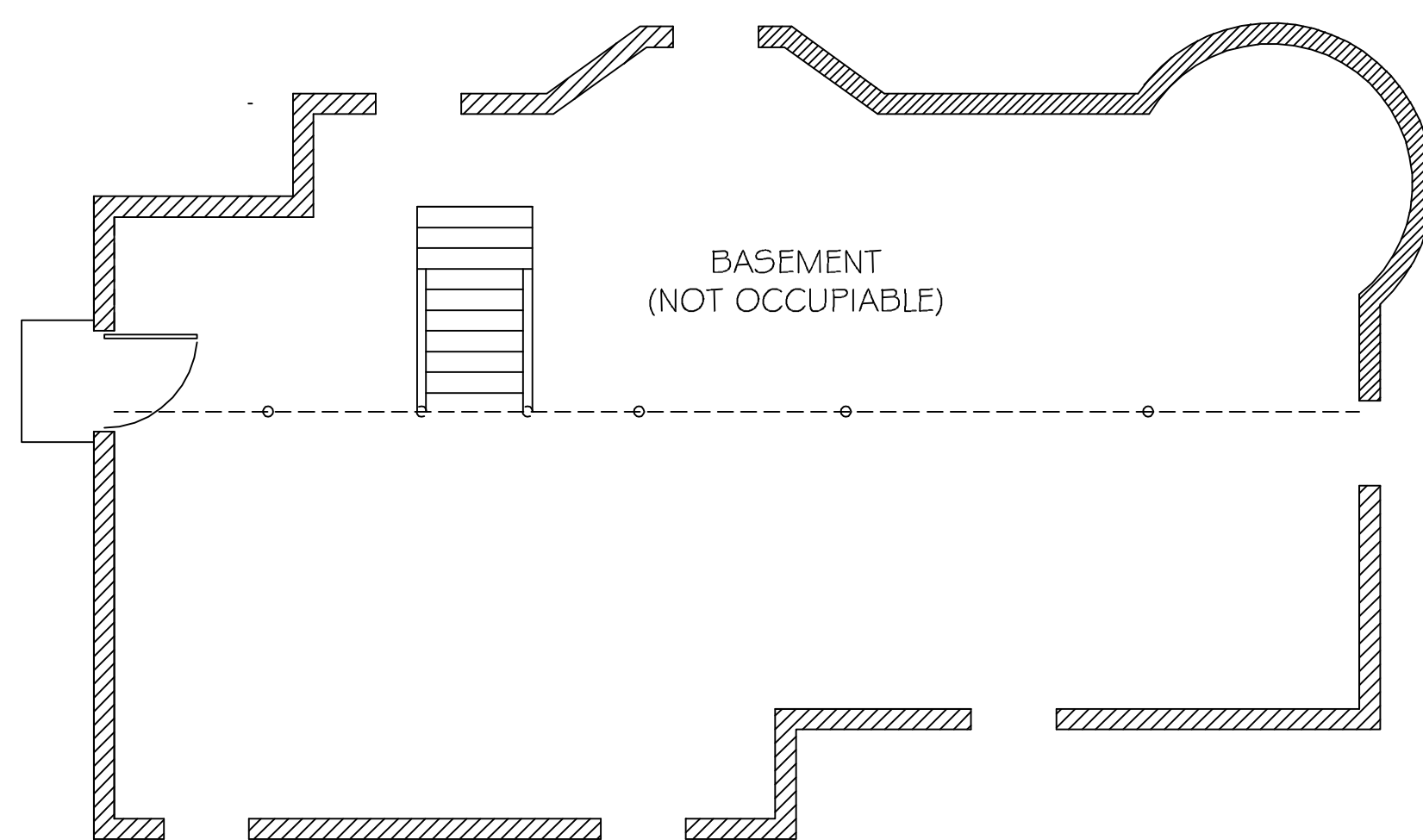
FIRST FLOOR

EXISTING FRAMING
NEW FRAMING



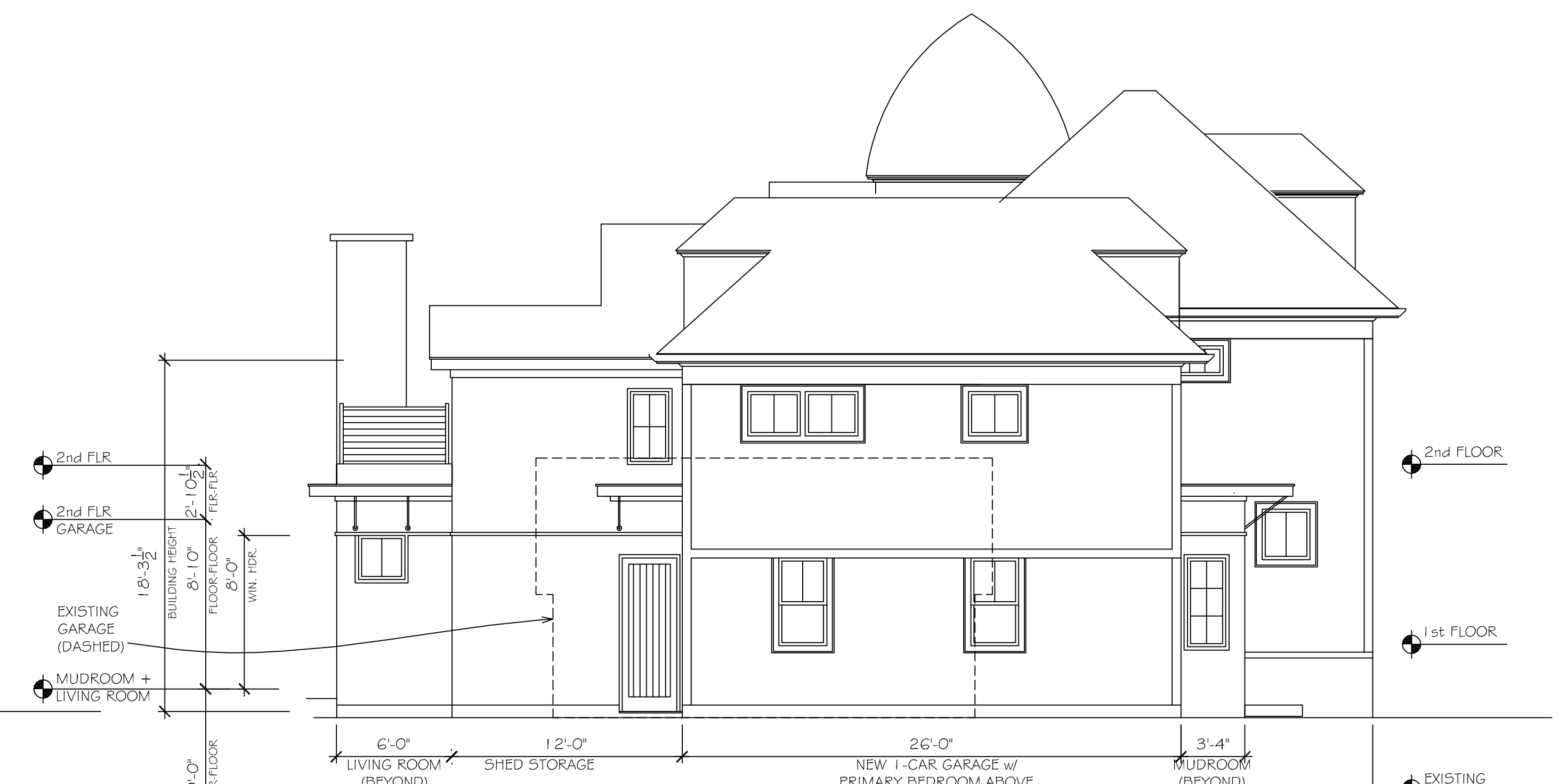
BASEMENT

EXISTING FRAMING
NEW FRAMING

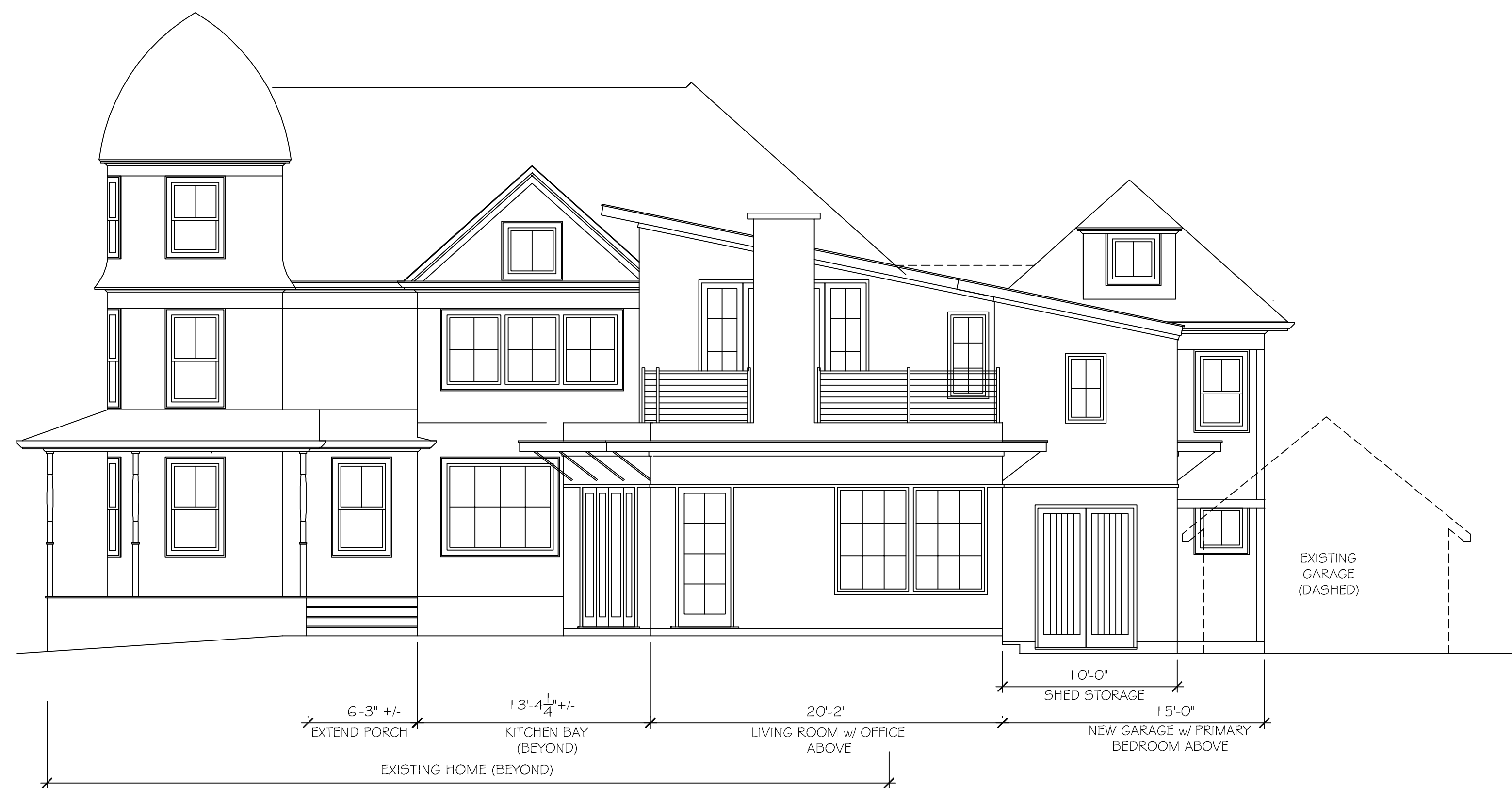




NORTHWEST ELEVATION
(LINCOLN AVENUE)



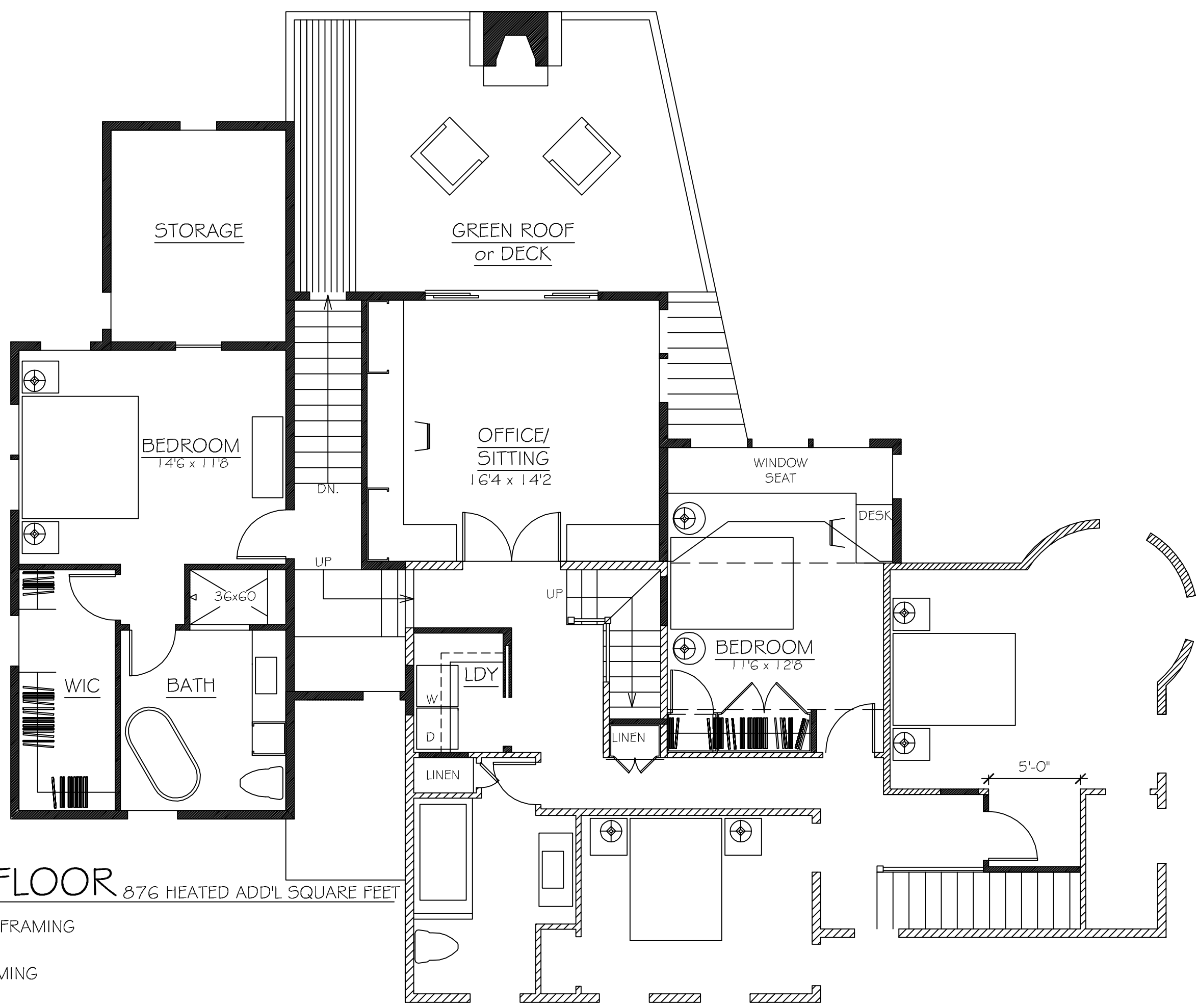
NORTHEAST ELEVATION



SOUTHEAST ELEVATION

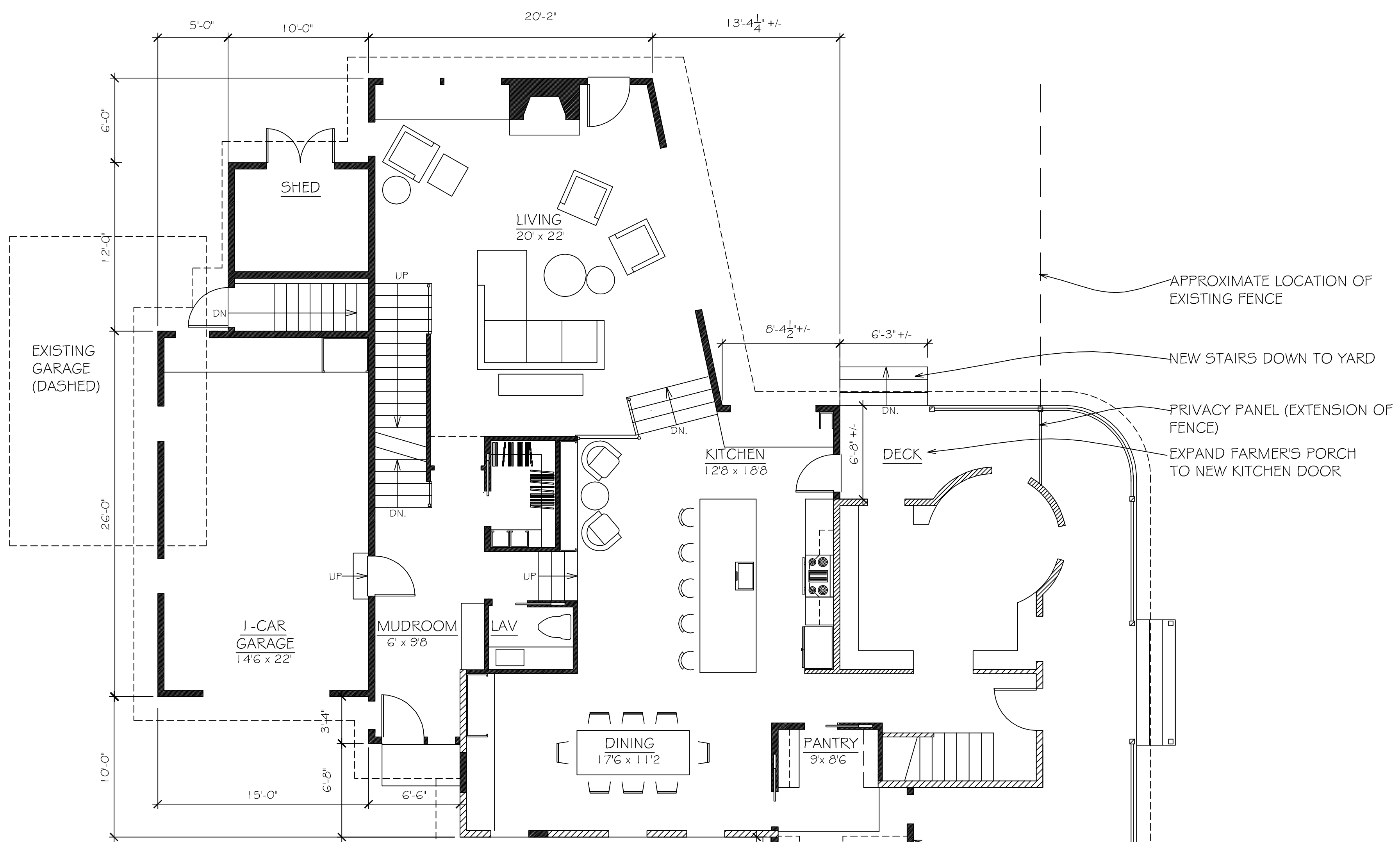


SOUTHWEST ELEVATION
(RICHARDS AVENUE)



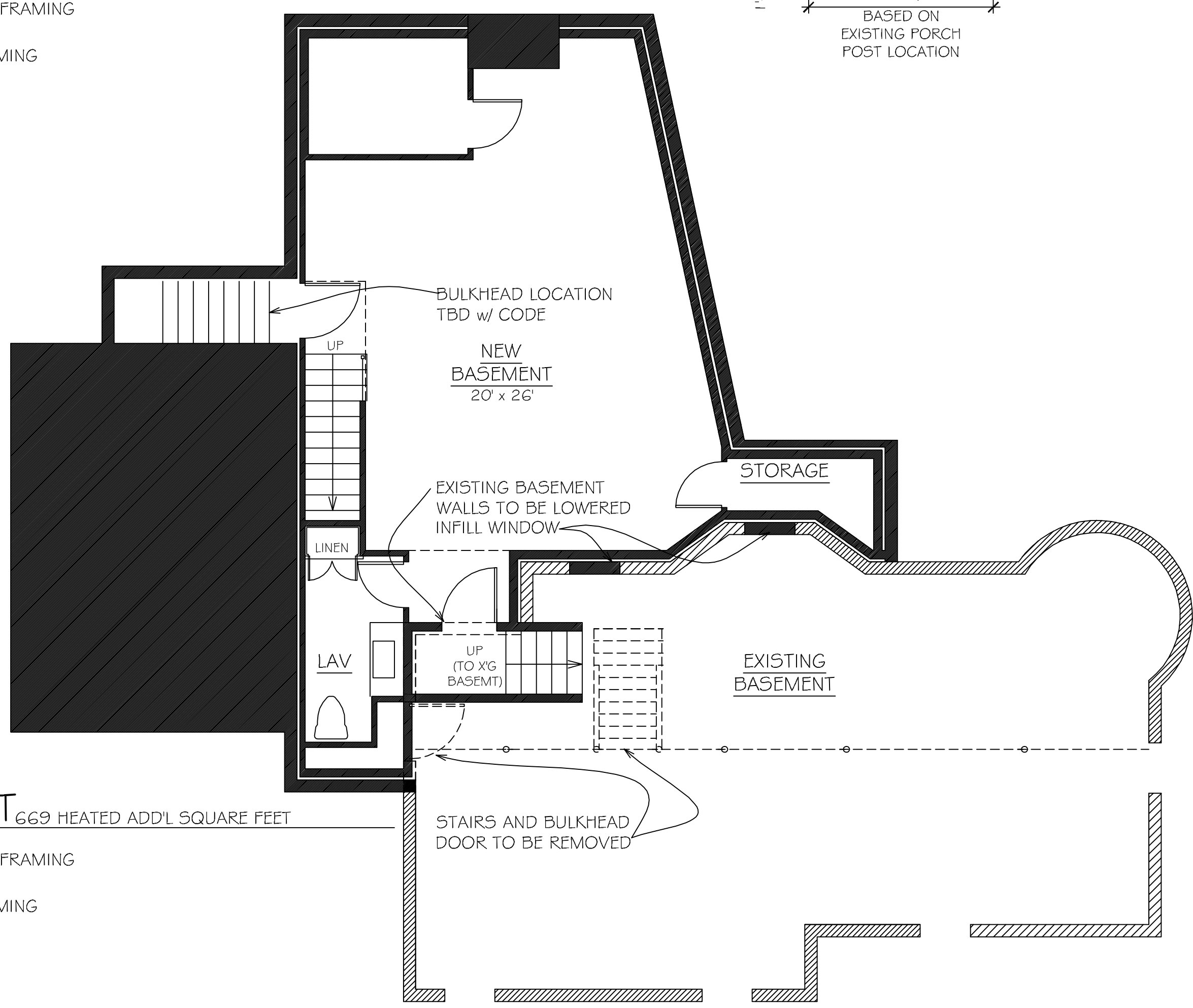
SECOND FLOOR 876 HEATED ADDL SQUARE FEET

EXISTING FRAMING
NEW FRAMING



FIRST FLOOR 828 HEATED ADDL SQUARE FEET

EXISTING FRAMING
NEW FRAMING



BASEMENT 669 HEATED ADDL SQUARE FEET

EXISTING FRAMING
NEW FRAMING



Front View of Property (Richards Ave)



Front - Left View of Property (Intersection of Richards & Lincoln Ave)



Left Side Yard View of Property (Lincoln Ave)



Left Side Yard View of Property & Garage (Lincoln Ave)



Left Side Yard of Property (Lincoln Ave)



Rear View of Property, Garage & Driveway (Lincoln Ave)



Front Right View of Property (Richards Ave)