

**138 Maplewood Ave.**  
**Map 124 Lot 6**  
**Zoning: CD4-L1**

**To permit the following:**

1. Lot Area of 7850sf for 3 Dwelling Units, where 3000sf per Unit is required
2. Vertical Expansion of a non-conforming Structure, for 2nd Floor Addition.  
Existing Garage has +/- 1' right side Setback where 5' is required.
3. Right Side Setback of +/-1' for 2nd Floor Rear Addition (144sf) to Existing Garage.

**The undersigned agrees that the following circumstances exist.....**

1. A 2nd Floor is proposed over the Existing Garage which will add a 3rd Dwelling Unit to the Property. The Lot Area of 7850sf, is 1150sf under the required 9000sf. The 4 Properties on this section of Maplewood Ave start at the City Cemetery and end at the North Mill Pond Bridge..On the left side; 118 Maplewood Ave is a 10 Unit Office Condo in 2 Buildings (Lot 19,384sf) and 114 Maplewood has 3 Dwelling Units and 1 Office Rental (Lot size 5057sf). On the Right Side, 154 Maplewood has a 2 Unit Office Condo in the Front Building & a Dwelling Unit in the Back Building (Lot Size 18,384sf)..Across the street a large Multiuse Commercial & Residential Building is under Construction.
2. The Existing Garage is within the Right Side Setback and adding a 2nd Floor will continue that non-conformity.
3. The 6' x 24' 2nd Floor Addition (144sf) to the Rear of the Garage will match the existing width and will have a +/- 1' Right Side Setback.

**Criteria for the Variance:**

1. The Variances are not contrary to the public interest in that the existing Garage is set back from public view and can only be seen from a couple of narrow openings on Maplewood Ave and from the North Mill Pond Bridge. The Existing 1-Story Garage Structure is surrounded by 2-Story Structures and the Garage 1st floor level is 3.5' lower then Primary Buildings on Maplewood Ave.
2. The Variances are consistent with the spirit of the ordinance in that it will allow this expansion without adversely impacting the immediate abutters. Existing Parking on the Lot (6 spaces) exceeds the required 4 Spaces.
3. Substantial justice will be done, as the benefit to the Owners out-weighs any negative affects to abutting properties.
4. These Variances will not diminish the value of surrounding properties. The design has a more residential presence then the current 4 garage doors.
5. The special condition of this property is the Lot Size and the location of the Existing Garage Structure.



9 Sheafe Street  
Portsmouth  
NH 03801  
603-427-2832

AW

ANNE WHITNEY ARCHITECT

138 MAPLEWOOD AVE.  
EXISTING & PROPOSED LOT PLAN

SCALE 1" = 10'-0" 4/22/2020

NOTE: EXISTING AND PROPOSED ARE OVERLAYED  
ON EXISTING SURVEY PLAN JULY 29, 1997  
BY MILETTE, SPRAGUE & COLWELL, INC.,  
ANNE WHITNEY ARCHITECT, FIELD MEASURED  
AND DRAFTED CURRENT EXISTING CONDITIONS.



N/F  
GIDEON WALKER HOUSE TRUST  
JAMES SOMES JR., TRUSTEE  
361 HANOVER STREET  
PORTSMOUTH, NH. 03801  
RCRD BK.#3120 PG.#1900

MAP U24 LOT 6  
7,850 S.F.  
0.18 ACRES

EXISTING  
BUILDING  
FINISH FLOOR  
ELEV.=15.94

MAP U24 LOT 5

N/F  
CAPTAIN JOHN MOSES CONDOMINIUMS  
118 MAPLEWOOD AVENUE  
PORTSMOUTH, NH. 03801

10' WIDE ALL PURPOSE RIGHT OF WAY  
FROM MAP U24/5 TO MAP U24/6 SEE  
RCRD BK.#899 PG.#9 AND PROBATE #40689

100' TIDAL  
BUFFER ZONE

EXISTING PARKING AREA

RAMP

CONCRETE  
WALK

BITUMINOUS  
CURB

WOOD STAIRS

RAISED PLANTING BED WITH RET-WALL

PAVING

WOOD DECK

18" PEAR

18" HARDWOOD

23' REMAINS AS GARAGE

2 PARKING SPACES IN GARAGE

EXISTING STRUCTURE  
24' X 46'

23' PROPOSED LIVING SPACE  
6' X 24' ADDED TO NEW 2ND FLOOR  
24' X 32' PROPOSED 2ND FLOOR  
4 POSTS AT GROUND LEVEL

FOUND IRON  
ROD WITH CAP

PAVED DRIVEWAY

11'-1' EXIST.  
& PROPOSED

EXIST.  
11'-10'

EXIST.  
11'-0'

EXIST. & PROPOSED  
11'-5'

EXIST.  
11'-0'

EXIST. 11'-63'  
PROPOSED 11'-62'

11'-19.5'  
EXIST. & PROPOSED

EXIST.  
ROW

EX. CRUSHED STONE

EX. RETAINING WALL

EX. GARDEN

EXIST. PATIO

POST  
(IMP.)

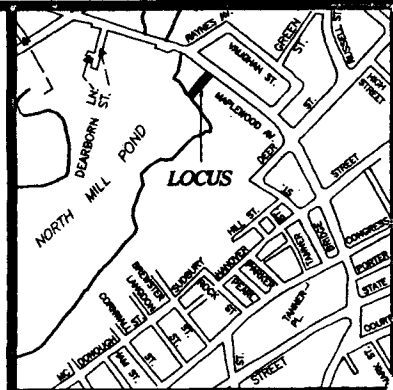
SHRUB  
(TYPICAL)

FLOOD HAZARD ZONE  
FLOOD HAZARD ZONE



# LEGEND

AC.	ACRES
BK.2562/PG.2783	BOOK NO./PAGE NO.
EP	EDGE OF PAVEMENT
ELEC.	ELECTRIC
FKA	FORMERLY KNOWN AS
LS	LANDSCAPED
N/F	NOW OR FORMERLY
RCD	ROCKINGHAM COUNTY REGISTRY OF DEEDS
S.F.	SQUARE FEET
SL	SEWER LATERAL
TBM	TEMPORARY BENCHMARK
TBR	TO BE REMOVED
USGS	UNITED STATES GEODETIC SURVEY
---	EXISTING GAS
---	EXISTING SEWER
---	PROPOSED CONTOUR
---	SEWER LATERAL
---	DRILL HOLE
MAP LOT	ASSESSORS MAP & PARCEL NUMBER
---	PROPERTY LINE
---	STONE WALL
---	EXISTING SPOT GRADE
---	UTILITY POLE
---	WATER SHUT OFF



LOCATION PLAN

## NOTES

1. THE PARCEL IS LOCATED IN THE CENTRAL BUSINESS A (CBA) ZONE AND THE HISTORIC OVERLAY DISTRICT A (HDA).
2. THE PARCEL IS SHOWN ON THE CITY OF PORTSMOUTH ASSESSOR'S MAP U24 AS LOT 6.
3. THE PARCEL IS LOCATED IN A FLOOD HAZARD ZONE AS SHOWN.
4. OWNER OF RECORD: EDWARD ZOFFOLI REVOCABLE TRUST, JOSEPHINE ZOFFOLI REVOCABLE TRUST, 138 MAPLEWOOD AVENUE, PORTSMOUTH, NH. 03801, RCD. BK.3120 PG.1900.
5. ZONING REQUIREMENTS: MINIMUM LOT SIZE: 1,000 S.F., MINIMUM FRONTAGE: N/A, MINIMUM SETBACKS: 0', FRONT YARD: 0', SIDE YARD: 0', REAR YARD: 0', MINIMUM DEPTH: N/A, MAXIMUM COVERAGE: 95%, 6. TOTAL PARCEL AREA: 7,850 S.F., 0.18 ACRES.
7. THE PARCEL IS SUBJECT TO RESTRICTIONS RELATED TO THE 250' COMPREHENSIVE SHORELAND PROTECTION ACT (RSA 483-B).

## PLAN REFERENCES

1. "PLAN OF LAND PREPARED FOR STEVEN MASSCOTTE & D. JOHN FOLEY, MAPLEWOOD AVENUE, PORTSMOUTH, N.H." DATED 10/31/88 BY KIMBALL CHASE COMPANY, INC. NOT RECORDED.
2. "SITE PLAN FOR D. JOHN FOLEY & STEVEN M. MASSCOTTE 118 MAPLEWOOD AVENUE, COUNTY OF ROCKINGHAM PORTSMOUTH, N.H." DATED JANUARY 30, 1989 REVISED 3/2/89 BY RICHARD P. MILLETTE AND ASSOCIATES. NOT RECORDED.
3. "CAPTAIN JOHN MOSES CONDOMINIUM SITE PLAN DRAWN FOR DANIEL LOGGINS, 118 MAPLEWOOD AVE., PORTSMOUTH, N.H. OWNER OF UNIT B-1" DATED MARCH, 1995 BY EDWARD N. HERBERT, ASSOC. INC. RCD PLAN #0-23905.
4. "SITE PLAN GIDEON WALKER CARRIAGE HOUSE FOR GIDEON WALKER TRUST 154 MAPLEWOOD AVENUE, PORTSMOUTH, N.H. 03801" DATED JUNE 1995 REVISED 3-28-97 BY BARRY W. KIMBALL, P.E., L.L.S. RCD PLAN #0-25362.
5. "VAUGHAN STREET URBAN RENEWAL PROJECT N.H. R-10 PORTSMOUTH, NEW HAMPSHIRE, DISPOSITION MAP" DATED 11/5/70 BY ANDERSON-WIGGINS & CO., INC. RCD PLAN #0-2408.

REV.#3	11/13/97 REMOVE 2ND STORY APARTMENT AND NOTE #8
REV.#2	09/23/97 REVISE BUILDING
REV.#1	09/08/97 ADD PROPOSED GRADES



MILLETTE, SPRAGUE & COLWELL, INC.  
CIVIL ENGINEERS LAND SURVEYORS

## SITE PLAN FOR

EDWARD ZOFFOLI REVOCABLE TRUST &  
JOSEPHINE ZOFFOLI REVOCABLE TRUST  
138 MAPLEWOOD AVENUE  
COUNTY OF ROCKINGHAM  
PORTSMOUTH, NH.

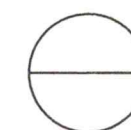


SCALE: 1" = 10' (IN FEET) DATE: JULY 23, 1997

501 ERLINGTON STREET, P.O. BOX 4006, PORTSMOUTH, N.H. 03841-2222  
http://www.mscenginc.com



VIEW FROM DRIVEWAY ENTRY



SOUTH ELEVATION

SCALE : 3/16" = 1'-0"



EXISTING GARAGE SOUTH VIEW

SCHEMATIC DESIGN

9 Sheafe Street  
Portsmouth  
NH 03801  
603-427-2832

ANNE WHITNEY ARCHITECT

GARAGE 2ND FLOOR ADDITION & RENOVATIONS

PANTELAKOS 138 MAPLEWOOD AVE PORTSMOUTH, NH

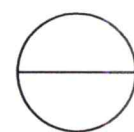
Project: # 2004

Date: 3 / 13 / 20

Revisions: 4 / 24 / 20

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WEST ELEVATION

SCALE : 3/16" = 1'-0"



VIEWS FROM WEST YARD

SCHEMATIC DESIGN

9 Sheafe Street  
Portsmouth  
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603-427-2832

ANNE WHITNEY ARCHITECT

GARAGE 2ND FLOOR ADDITION & RENOVATIONS

PANTELAKOS 138 MAPLEWOOD AVE PORTSMOUTH, NH


Project: 2004

Date: 3/13/20

Revisions: 4/24/20

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NORTH ELEVATION

SCALE :  $\frac{3}{16}" = 1'-0"$

## SCHEMATIC DESIGN

9 Sheafe Street  
Portsmouth  
NH 03801  
603-427-2832

LANNE WHITNEY ARCHITECT

## GARAGE 2ND FLOOR ADDITION & RENOVATIONS

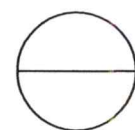
PANTELAKOS 138 MAPLEWOOD AVE PORTSMOUTH, NH

Project: # 2002

Date: 3 / 13 / 20

Revisions:  
4 / 24 / 20

3 OF 4



EAST ELEVATION

SCALE : 3/16" = 1'-0"



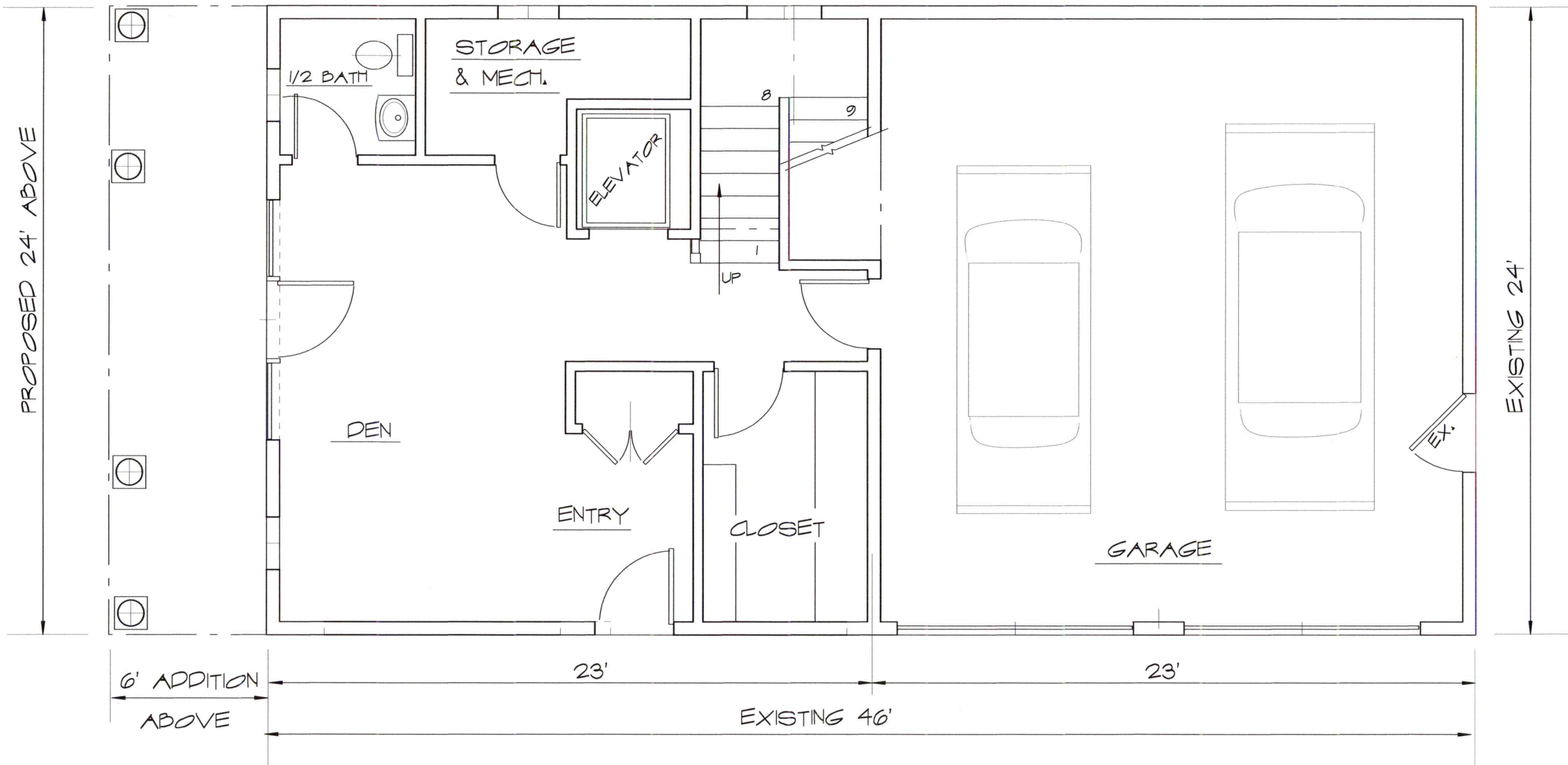
EXISTING CUPOLA



EXISTING EAST ELEVATION

<p><b>SCHMATIC DESIGN</b></p> <p><b>GARAGE 2ND FLOOR ADDITION &amp; RENOVATIONS</b></p> <p>PANTELAKOS 138 MAPLEWOOD AVE PORTSMOUTH, NH</p>	<p>9 Sheafe Street Portsmouth NH 03801 603-427-2832</p> <p><b>ANNE WHITNEY ARCHITECT</b></p>	<p>Project: <b>2002</b></p> <p>Revisions: 4 / 24 / 20</p>	<p>Date: 3 / 13 / 20</p> <p>4 OF 4</p>
		<p>4 / 24 / 20</p>	<p>4 OF 4</p>

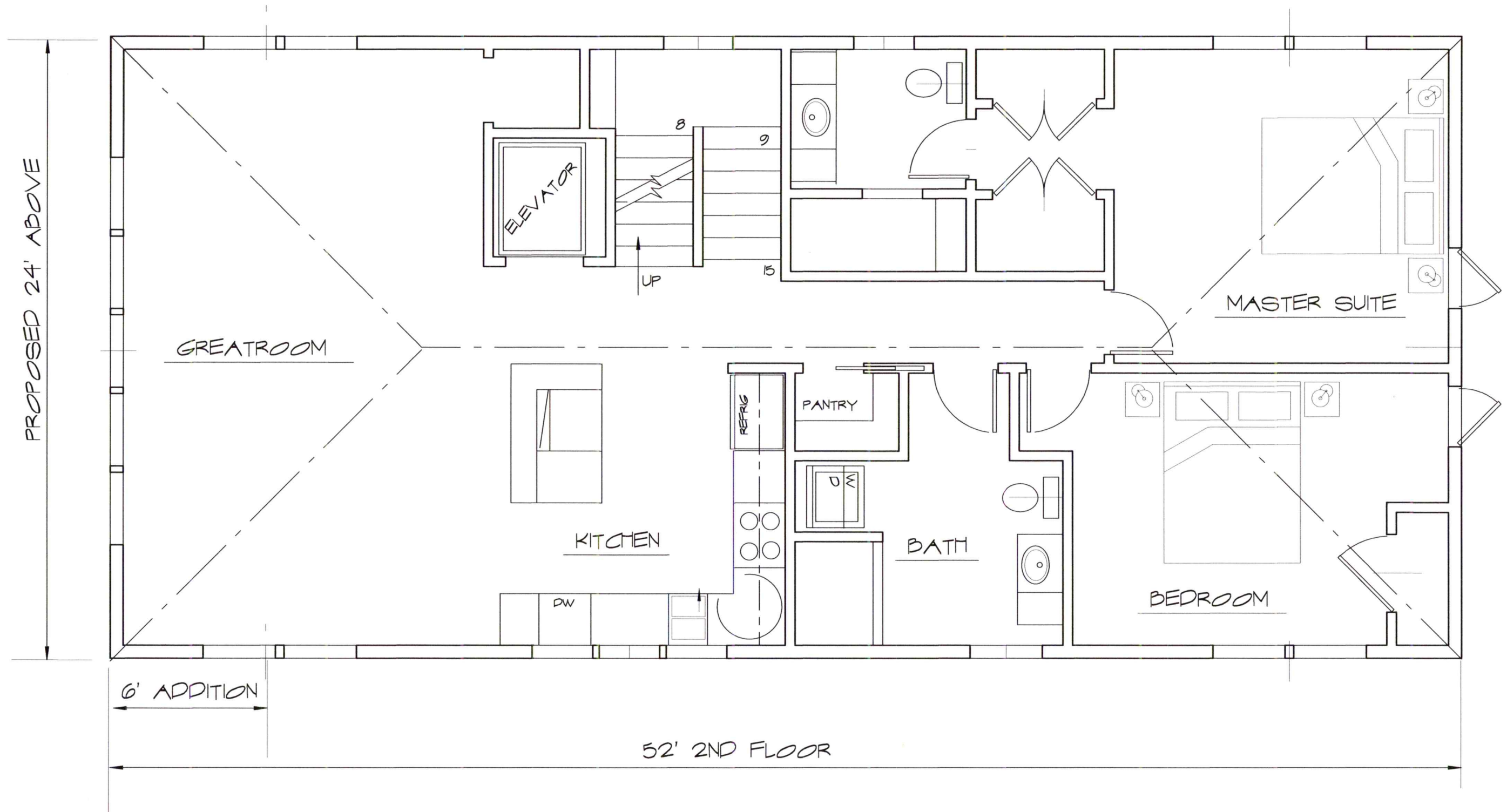





**1ST FLOOR PLAN**  
 SCALE : 1/4" = 1'-0"

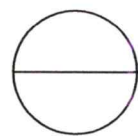
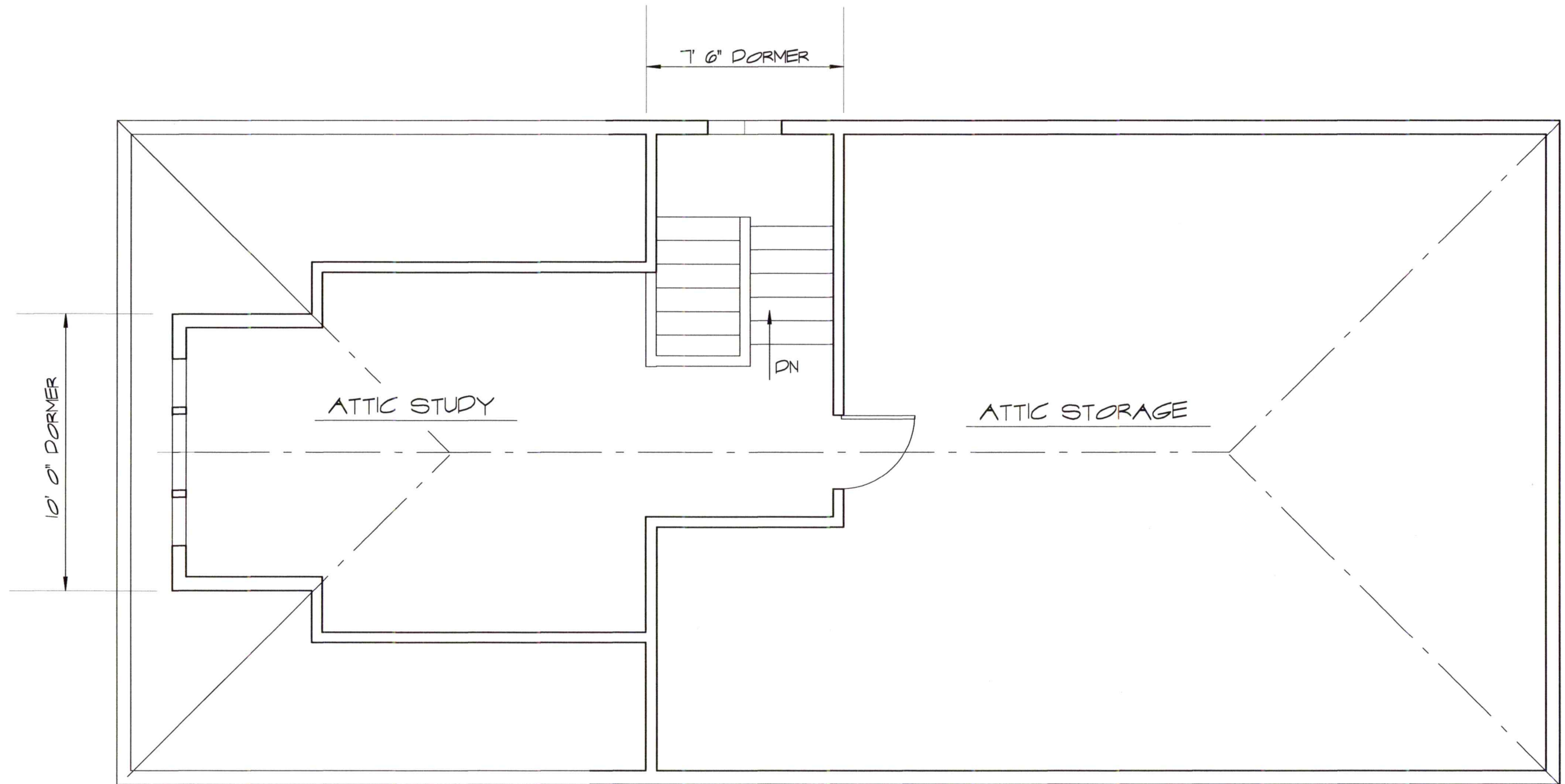
<b>SCHEMATIC DESIGN</b> <b>ANNE WHITNEY ARCHITECT</b> GARAGE 2ND FLOOR ADDITION & RENOVATIONS PANTELAKOS 138 MAPLEWOOD AVE PORTSMOUTH, NH	9 Sheafe Street Portsmouth NH 03801 603-427-2832	Project: <b>2002</b> Date: <b>4/23/20</b>	Revisions:
		<b>1 OF 3</b>	






**2ND FLOOR PLAN**  
 SCALE : 1/4" = 1'-0"

<b>SCHEMATIC DESIGN</b> <b>GARAGE 2ND FLOOR ADDITION &amp; RENOVATIONS</b> PANTELAKOS 138 MAPLEWOOD AVE PORTSMOUTH, NH	9 Sheafe Street Portsmouth NH 03801 603-427-2832	 <b>ANNE WHITNEY ARCHITECT</b>	Project: <b>• 2002</b>	Date: <b>4 / 23 / 20</b>
			Revisions:	<b>2 OF 3</b>



ATTIC PLAN  
SCALE : 1/4" = 1'-0"

/	9 Sheafe Street Portsmouth NH 03801 603-427-2832	F/V/V
	<b>SCHEMATIC DESIGN</b>	
	<b>ANNE WHITNEY ARCHITECT</b>	
GARAGE 2ND FLOOR ADDITION & RENOVATIONS		
PANTELAKOS 138 MAPLEWOOD AVE PORTSMOUTH, NH		

Project: 2002	Date: 4/23/20
Revisions:	
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## **EASEMENT DEED**

James H. Somes Jr., as Trustee of the Gideon Walker House Trust, u/t/d 6/6/1994, of 154 Maplewood Avenue, Portsmouth, New Hampshire 03801 ("Grantor"), for no consideration paid, grants to George T. Pantelakos and Donna P. Pantelakos, as Trustees of the Donna P. Pantelakos Revocable Trust u/t/d December 6, 2011, of 138 Maplewood Avenue, Portsmouth, New Hampshire 03801 ("Grantee"), an easement appurtenant in real property located at 154 Maplewood Avenue, Portsmouth, New Hampshire 03801, for the purposes more specifically described below.

The Easement Area is more specifically described as follows:

Beginning at an Iron Rod with Cap found at the Southeast Corner of the Grantor's land and the Northeast Corner of Grantee's land along the Westerly sideline of Maplewood Avenue; thence turning and running Northwest a distance of 5' to a point; thence turning and running Southwest a distance of 113' to a point; thence turning and running Southeast a distance of 5' to a point; thence turning and running Northeast a distance of 113' to the point of beginning (the "Easement Area").

The Easement Area consists of approximately 565 square feet.

The Easement Area described above should form a rectangle 5' in width and 113' in length running parallel to the common boundary with Grantee's property.

The Property owned by Grantor located at 154 Maplewood Avenue, Portsmouth, New Hampshire 03801 (Tax Map 124, Lot 7) is the burdened parcel of land for purposes of this Easement. The Property owned by Grantee at 138 Maplewood Avenue, Portsmouth, New Hampshire 03801 (Tax Map 124, Lot 6) is the benefited parcel of land for purposes of this Easement.

The Grantee shall have the perpetual right of ingress, egress and access, on and over and through the Easement Area for purposes of maintaining, repairing, improving and re-constructing all existing improvements on Grantee's land so long as they are not extended closer to the Grantor's land. Said right shall extend to the Grantor's agents, invitees and licensees.

No encroachments are permitted within the Easement Area, temporary or permanent, that would frustrate or make difficult the purposes of the Easement. However, temporary

encroachments shall be permitted within the Easement Area for purposes of carrying out the purposes of the Easement (i.e. the maintenance, repair, improvement or reconstruction of the existing improvements.

In the event that any of the improvements on Grantee's land are moved or altered so as to eliminate the need for the Easement, the Easement shall be automatically extinguished.

The Easement shall run in perpetuity with Grantor and Grantee's properties and be binding upon and inure to the benefit of the Grantor and the Grantee's heirs, successors and assigns.

The Grantor shall ensure that this easement is subordinate to any mortgages or other liens encumbering Grantor's Property.

The easement is situated on the same premises acquired by the Grantor by Deed dated August 25, 2016 and recorded in the Rockingham County Registry of Deeds in Book 5746, Page 651.

This is not homestead property of the Grantor.

**This is a non-contractual transfer that is exempt from the NH Real Estate Transfer Tax pursuant to RSA 78-B:2, IX.**

#### TRUSTEE CERTIFICATE

James Somes, Jr., Trustee of the Gideon Walker House Trust u/t/d 6/6/1994, has the full and absolute power in 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 are properly exercising said power or to see to the application of any Trust asset paid to the Trustees for a conveyance thereof.

Executed this \_\_\_\_ day of May 2020.

Gideon Walker House Trust u/t/d 6/6/1994

By: \_\_\_\_\_  
James Somes, Jr., Trustee



STATE OF NEW HAMPSHIRE  
COUNTY OF ROCKINGHAM

On this \_\_\_\_ day of \_\_\_\_\_, 2020, personally appeared, James Somes, Jr., Trustee of the Gideon Walker House Trust u/t/d 6/6/1994 ,known to me or satisfactorily proven to be the person signing this instrument, and acknowledged that he executed the foregoing Easement Deed for the purposes contained therein.

Before me,

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Notary Public/Justice of the Peace  
My Commission Expires: